

# OVERSIGHT HEARING ON THE ELECTION ASSISTANCE COMMISSION

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## HEARING BEFORE THE SUBCOMMITTEE ON ELECTIONS COMMITTEE ON HOUSE ADMINISTRATION HOUSE OF REPRESENTATIVES ONE HUNDRED TENTH CONGRESS FIRST SESSION

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HELD IN WASHINGTON, DC, MARCH 12, 2008

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Printed for the use of the  
Committee on House Administration



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## OVERSIGHT HEARING ON THE ELECTION ASSISTANCE COMMISSION

WEDNESDAY, MARCH 12, 2008

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON ELECTIONS,  
COMMITTEE ON HOUSE ADMINISTRATION,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 3 p.m., in room 1310, Longworth House Office Building, Hon. Zoe Lofgren (chairwoman of the subcommittee) presiding.

Present: Representatives Lofgren, Gonzalez, Davis of California, Davis of Alabama, McCarthy, and Ehlers.

Staff Present: Liz Birnbaum, Staff Director; Charles T. Howell, Chief Counsel; Thomas Hicks, Senior Election Counsel; Janelle Hu, Election Counsel; Jennifer Daehn, Election Counsel; Matt Pinkus, Professional Staff/Parliamentarian; Kyle Anderson, Press Director; Kristin McCowan, Chief Legislative Clerk; Daniel Favarulo, Legislative Assistant, Elections; Matthew DeFreitas, Staff Assistant; Gineen Beach, Minority Election Counsel; Bryan T. Dorsey, Minority Professional Staff; and Ashley Stow, Minority Election Counsel.

Ms. LOFGREN. Good afternoon, and welcome to the Subcommittee on Election's oversight hearing on the Elections Assistance Commission. The purpose of the hearing will be to examine what the EAC has done to improve its policies and procedures since our first hearing last August and what the EAC has planned, leading up to the 2008 general elections.

The EAC has been operational for 5 years. However, it is still having difficulties becoming a fully functioning agency. Although the EAC has made changes since our last oversight hearing, recent reports by the agency's Inspector General are cause for concern. As we will learn today, the IG found that the EAC lacks policies and procedures in all program areas, from document, governance and accountability, short- and long-term strategic plans and performance goals to a clearly defined organizational structure. Additional reports also cite improvements needed in the management of travel expenses.

Today we will also have the opportunity to discuss the just-released IG investigative report on the preparation of the voter fraud and intimidation report. This report was the subject of much interest, both by the public and this committee. I appreciate the time and effort that went into the report that we received today and that the initial request for the investigation came from the EAC commissioners themselves.

While the investigation does not reveal that any political motivation was behind the changes and delayed release of the report, it does disclose a poorly conceived and managed project. The investigation, coupled with the Inspector General's testimony, provides clear evidence of the Commission's lack of an effective organization and management structure.

However, we are not here to simply discuss what is wrong with the EAC. We are to learn what corrective action the EAC has taken since our last hearing and the agency's plans for the future.

The EAC has received recommendations for change from the IG and has taken some steps toward developing sound goals, objectives, plans, policies and procedures. And that should be acknowledged, and I do acknowledge it.

Unfortunately, we must now discuss whether those changes are enough and what role the EAC is capable of playing, particularly in light of what could be a very highly charged 2008 presidential election.

So I look forward to hearing from our witness today, the IG as well as the commissioners. I thank them for being here, and look forward to seeing how we can work together to have a better system.

At this point, I would turn to our ranking member, Mr. McCarthy, for his opening statement.

[The statement of Ms. Lofgren follows:]

Committee on House Administration  
Subcommittee on Elections

*Oversight Hearing on the Election Assistance Commission*  
March 12, 2008

Chairwoman Zoe Lofgren  
Opening Statement

Good afternoon and welcome to the Subcommittee on Elections oversight hearing on the Election Assistance Commission. The purpose of the hearing will be on what the EAC has done to improve its policies and procedures since our first hearing last August and what the EAC has planned leading up to the 2008 general elections.

The EAC has been operational for five years; however, it still is having difficulties becoming a fully functioning agency. Although the EAC has made changes since our last oversight hearing, recent reports by the agency's inspector general are cause for concern. As we will learn today, the IG found that the EAC lacks policies and procedures in all program areas, from document governance and accountability, short and long-term strategic plans and performance goals to a clearly defined organizational structure. Additional reports also cite to improvements need in the management of travel expenses.

Today we will also have the opportunity to discuss the just released IG investigative report on the Preparation of the Voter Fraud and Intimidation Report. This report has been the subject of much interest, both by the public and this committee. I appreciate the time and effort that went into this report and that the initial request for investigation came from the EAC Commissioners. While the investigation does not reveal that the political motivation was behind the changes and delayed release of the report, it does disclose a poorly conceived and managed project. The investigation coupled with the inspector general's testimony provides clear evidence of the Commission's lack of an effective organization and management structure.

However, we are not here to simply discuss what is wrong with the EAC. We are here to also learn what corrective action the EAC has taken since our last hearing and the agency's plans for the future. The EAC has received recommendations for change from the IG and has taken some steps towards developing sound goals, objectives, plans, policies and procedures and that should be acknowledged. Unfortunately we must now discuss if those changes are enough and what role the EAC is capable of playing, particularly in light of a highly charged 2008 presidential election.

Mr. MCCARTHY. Thank you, Madam Chair.

I just appreciate this hearing. One, I guess it is rather timely now, with the IG report coming out, finding no evidence to support allegations that the charges were made to the report due to improper reasons or political motivation.

And I know this committee or Madam Chair had a number of lettered concerns, so I want to make sure we give enough time to answer all the questions that we need to go forward and see where corrections need to be made but also see where allegations were not true, at the same time, to be known for the public as well.

We have a lot of different questions to move forward, but I thank the Madam Chair for holding the hearing.

Ms. LOFGREN. I thank you, Mr. McCarthy.

And we would now turn to Mr. Crider for your testimony. As you know, your full statement is made part of our official record. We would ask that your testimony consume about 5 minutes so that the members can have time to pose questions to you. And, at this time, we would welcome your testimony.

**STATEMENT OF MR. CURTIS CRIDER, INSPECTOR GENERAL,  
ELECTION ASSISTANCE COMMISSION**

Mr. CRIDER. Thank you, ma'am.

Chairman Lofgren, Ranking Member McCarthy, members of the committee, thank you for the opportunity to discuss the activities of the Office of Inspector General of the U.S. Election Assistance Commission.

In its year and one-half of existence, the I.G. Office, which currently consists of me and a contractor, has concentrated on two areas: use of Help America Vote Act funds by States and the internal administrative operations of the Commission.

In addition, the Office of Inspector General has completed two investigations. Investigations were performed for the EAC by the Office of Inspector General for the Department of the Interior.

And I would like to publicly thank the Department of the Interior Office of Inspector General, in particular Mr. Earl Devaney, the Inspector General, for his help and support in the last year and a half, in terms of helping my office get established and get it up and running. His support has been invaluable.

The focus of my testimony is on the internal operations of the Commission. Pertinent audits covered Commission travel and Commission program and financial controls. The relevant investigation dealt with voter fraud report.

The audit of travel: The objective of the audit was to determine whether travel was performed in accordance with Federal travel regulations, travel cards were properly controlled and used for only official purposes, and travelers paid their bills in a timely fashion.

The audit found that the Commission did not follow Federal travel regulations in performance of travel. The audit identified errors in 91 percent of the travel packages—that is, authorizations and vouchers—examined. While the majority of the errors were minor, such as claiming taxes as a part of the lodging rate, some were more significant, such as traveling to a location that was not authorized or claiming a lodging rate that exceeded the authorized rate.

Overall, the mistakes demonstrated a need for independent controls and clear instruction on the preparation and approval of travel authorizations and vouchers, and for reviews of the accuracy of the travel charges.

We also noted the need for procedures to ensure that international travel is essential to the EAC mission and employees receive compensatory time when traveling on their own time.

Finally, we concluded that travel cards were adequately controlled and used for official purposes and that travelers generally paid their travel bills on time.

We made four recommendations in July of 2007 to the Executive Director. One was to implement written procedures for conducting temporary duty travel; two, implement written procedures approval of international travel; modify the procedures for approval of travel funded by non-Federal sources; and implement written procedures for authorizing tracking of compensatory time.

To date, none of the recommendations have been implemented. However, the Director of the Finance and Administration of the U.S. Election Assistance Commission has instituted an audit program of travel vouchers, where she reviews the travel vouchers and the authorizations to make sure that the travel charges are in accordance with the travel authorization and the claims are allowed by the Federal travel regulations. But there still is a lack of written policies and procedures.

In addition, the EAC has provided travel training to its employees so that employees now know how to prepare travel vouchers. And I think those things have helped. But there still is a very strong need for written policies and procedures.

The second review we did was assessment of the Commission's program and financial operations. The purpose of the review was to identify the programs and administrative activities performed by the Election Assistance Commission and to assess for those programs the vulnerability of fraud, waste and abuse and areas of mismanagement.

This assessment identified a need to immediately address longstanding and overarching weaknesses related to Commission operations. Specifically, the assessment disclosed that the Commission lacked: short- and long-range strategic plans, performance goals and measurements to guide the organization and its staff; an organizational structure that clearly defines the areas of responsibility and an effective hierarchy for reporting, especially between the Commissioners and the Executive Director—the staff needs to know who is in charge, and that is still a recurring problem at the EAC; appropriate and effective internal controls need to be established based on risk assessments; and policies and procedures in all program areas to document governance and accountability structure and practices in place.

The report made 29 recommendations to improve the EAC operations. In response, the Executive Director has developed an action plan with milestones to address the issues identified in the report. The OIG plans to meet with the Executive Director on a monthly basis to assess where they are at, in terms of the corrective action, and try to make sure that the milestones are, in fact, met.

In terms of investigations, yesterday and today we issued the investigative report on the voter fraud report. In September 2005, the U.S. Election Assistance Commission hired two consultants to conduct a study on voter fraud and voter intimidation. In August of 2006, the consultants completed their work and provided it to the EAC for review. The EAC officials edited the report and publicly released a final version in December of 2006.

Subsequent to the release, it was learned that the EAC final report differed from the consultants' report, causing speculation that the report had been changed due to political motivation and other improper reasons. The consultants' report read, "There is a widespread but not unanimous agreement that there is little polling place fraud." The final version of the report, after editing by EAC officials, concluded in its executive summary that, "There is a great deal of debate on the pervasiveness of fraud." When the difference was disclosed by the New York Times, the allegation was made that the Commission changed the report due to political reasons.

We conducted the investigation at the request of Commission Chair Donetta Davidson, who asked for a review of the circumstances surrounding the voter fraud and voter intimidation research project. The investigation centered on four general areas: The hiring of the consultants, the consultant staff report, the changes to the draft report, and potential external influences on the report.

Overall, the investigation found no evidence to support the allegation that changes to the report were made for improper reasons or for political reasons. Investigators did, however, disclose a poorly conceived and managed project. The investigation found there was confusion regarding the intended scope of the project, the intended use of the consultants' draft report. In addition, the investigators found the EAC officials reviewing the consultants' report believed that the report was poorly written and contained unsupported conclusions and, therefore, required substantial editing. This, coupled with the delays in the EAC beginning the editing process, caused the final report to be released 4 months after receiving the consultants' draft.

The investigators also made the observation that the voting fraud project and issues related to voter fraud were a highly charged political issue, and that the decision to edit the report without including the consultants for input, along with their data produced in the final report, undoubtedly fueled speculations raised by the opponents of the final report.

In conclusion, the Commission lacks an effective management organizational structure. What it has been able to accomplish, in my opinion, is due to the drive of individuals and not the organization. The Commission needs to make substantial improvements in its operations. The basic components for a good, sound organization—goals, objectives, plans, policies and procedures—still do not exist, despite 3 years of operation.

Furthermore, it is imperative that the Commissioners define their roles and responsibilities and those of the Executive Director to ensure that management decisions are made in a consistent, timely and nonpartisan fashion.

This concludes my testimony, and I would be happy to answer any questions.  
[The statement of Mr. Crider and the IG report follow:]

**HOUSE OF REPRESENTATIVES COMMITTEE ON  
HOUSE ADMINISTRATION  
SUBCOMMITTEE ON ELECTIONS  
TESTIMONY OF CURTIS CRIDER  
INSPECTOR GENERAL  
U.S. ELECTION ASSISTANCE COMMISSION**

**MARCH 2008**





Chairwoman Loftgren, Ranking Member McCarthy, and members of the Subcommittee:

Thank you for the opportunity to discuss the activities of the Office of Inspector General (IG), U.S. Election Assistance Commission. In its year and one half of existence, the IG Office, which currently consists of me and a contractor, has concentrated on two areas – use of Help America Vote Act funds by states and internal administrative operations of the Commission. In addition, the Office of Inspector General has completed one investigation and has one investigation in process. The investigations were performed for EAC by the Office of Inspector General for the Department of the Interior.

The focus of my testimony is on the internal operations the Commission. Pertinent audits covered Commission travel and Commission program and financial controls.

### **Audit of Travel**

The objective of the audit was to determine whether (1) travel was performed in accordance with the Federal Travel Regulation (FTR), (2) travel cards were properly controlled and used for only official purposes and, (3) travelers paid their travel card bills in a timely manner.

The audit found that the Commission did not follow the Federal Travel Regulations in performance of travel. The audit identified

errors in 91 percent of the travel packages, that is authorizations and vouchers, examined. While the majority of the errors were minor, such as claiming taxes as part of the lodging rate, some were more significant, such as traveling to a location that was not authorized or claiming a lodging rate that exceeded the authorized rate. Overall, the mistakes demonstrated a need for independent controls and clear instructions on the preparation and approval of authorizations and vouchers, and for effective reviews of the accuracy of the travel claims.

We also noted a need for procedures to ensure that international travel is essential to the EAC mission and that employees receive compensatory time when traveling on their own time.

Finally, we concluded that travel cards were adequately controlled and used for official purposes and that travelers generally paid their travel card bills on time.

On July 5, 2007, we recommend that the Executive Director:

1. Implement written procedures for conducting temporary duty travel.
2. Implement written procedures for approving only international travel that is essential to accomplishing the mission of EAC.

3. Modify the procedures for approval of travel funded by non-Federal sources to provide for an independent determination of whether the travel is desired and practical.
4. Implement written procedures for authorizing and tracking of compensatory time for official travel outside of regular working hours.

None of the recommendations have been implemented. On March 6, 2008, the Executive Director indicated that the EAC is in process of reviewing draft internal policies and procedures for the control of travel.

#### **Assessment of the Commission's Program and Financial Operations**

The purpose of the review was to identify the programs and administrative activities performed by the Election Assistance Commission and to assess the vulnerability of those programs and activities to adverse impacts such as mismanagement, waste, and fraud.

This assessment identified a need to immediately address long-standing and over-arching weaknesses related to Commission operations. Specifically, the assessment disclosed that the Commission lacked:

- Short and long-term strategic plans, performance goals and measurements to guide the organization and its staff.
- An organizational structure that clearly defines areas of responsibility and an effective hierarchy for reporting, especially between the Commissioners and the Executive Director. The staff needs to know who is in charge.
- Appropriate and effective internal controls established on the basis of risk assessments.
- Policies and procedures in all programs areas to document governance and accountability structure and practices in place.

The report made 29 recommendations to address the issues identified in the report.

In response, the Executive Director developed an action plan with milestones to address the issues identified in the report. The OIG will meet with the Executive Director on a monthly basis, to monitor the status of the corrective actions.

### Conclusion

The Commission lacks an effective management and organization structure. What it has been able to accomplish, in my opinion, is due to the drive of individuals not the organization.

The Commission needs to make substantial improvements in its operations. The basic components for a sound organization - - goals, objectives, plans, policies and procedures still do not exist despite 3 years of operations. Furthermore, it is imperative that the Commissioner's define their roles and responsibilities and those of the Executive Director to ensure that management decisions are made, in a consistent, timely and non partisan fashion.

That concludes my written testimony and I will be happy to respond to any question that the Subcommittee may have.

*perman*



**United States Department of the Interior  
Office of Inspector General**

**REPORT OF INVESTIGATION**

<b>Case Title</b> Election Assistance Commission—Vote Fraud Reports	<b>Case Number</b> [Exemption 2]
<b>Reporting Office</b> Herndon, VA	<b>Report Date</b> March 10, 2008
<b>Report Subject</b> Report of Investigation	

**SYNOPSIS**

In September 2005, the U.S. Election Assistance Commission (EAC) hired two consultants to conduct a study on voting fraud and voter intimidation. In August 2006, the consultants completed their report and provided it to the EAC for review. The EAC officials edited the report and publicly released a final version in December 2006. Subsequent to the release, it was learned that the EAC final report differed from the consultants' report causing speculation that the report had been changed due to political motivations or other improper reasons.

As a result of congressional inquiries and media articles regarding the changes and the delayed release of the report, EAC Chair Donetta Davidson requested the EAC Office of Inspector General (OIG) to conduct "a review of the circumstances surrounding the voting fraud and voter intimidation research project." Not having the investigative resources necessary for such a review, the EAC-OIG requested and received investigative support from the Department of the Interior (DOI) OIG in April 2007. The DOI-OIG investigation focused on four general issues: 1) the hiring of the consultants; 2) the consultants' draft report; 3) the changes to the draft report; and 4) potential external influence on the report.

The investigation revealed that there was confusion regarding the intended scope of the project and the intended use of the consultants' draft report. In addition, we found that the EAC officials reviewing the consultants' report believed the report was poorly written and contained unsupported conclusions and, therefore, required substantial editing. This, coupled with an initial delay of the EAC beginning the editing process, caused the final report to be released four months after receiving the consultants' draft. However, we found no evidence to support allegations that the changes were made to the report due to improper reasons or political motivations.

<b>Reporting Official/Title</b> [Exemptions 6 & 7C]/Special Agent	<b>Signature</b> [Exemptions 6 & 7C]
<b>Approving Official/Title</b> Douglas R. Hassebrock/Special Agent-in-Charge	<b>Signature</b> [Exemptions 6 & 7C]
<b>Authentication Number:</b> [Exemption 2]	

This report contained information that has been redacted pursuant to 5 U.S.C. §§ 552(b)(2), (b)(6) and (b)(7)(C) of the Freedom of Information Act. Supporting documentation for this report may be obtained by sending a written request to the OIG Freedom of Information Office.

OI-002 (01/08)

Case Number: Exemption 2

We also made the observation that the voting fraud project and issues relating to vote fraud is a highly charged political issue and that the decision to edit the report without including the consultants for input, along with the delay of producing the final report, undoubtedly provided a catalyst for the speculations raised by opponents of the final report.

### **BACKGROUND**

The EAC is an independent, bipartisan agency created by the Help America Vote Act of 2002 (HAVA) “to assist in the administration of Federal elections and to otherwise provide assistance with the administration of certain Federal election laws and programs, to establish minimum election administration standards for States and units of local government with responsibility for the administration of Federal elections” and additional purposes set forth by HAVA. The EAC’s additional duties include accrediting testing laboratories, certifying voting systems, auditing the use of HAVA funds, and overseeing the national mail voter registration form.

Four commissioners, appointed by the President and confirmed by the U.S. Senate, oversee the daily operations of the EAC. Consistent with the bipartisan nature of the agency, no more than two serving commissioners may belong to the same political party.

An executive director is selected by the EAC commissioners and appointed to a four-year term. The executive director’s duties “include managing EAC operations, preparing long-term goals, developing voluntary voting system guidelines, reviewing all EAC reports and studies, and managing staff and consultants.”

Section 241 of HAVA directs the EAC to periodically conduct studies related to election administration issues and make them available to the public. This provision lists the subject matters of 19 specific areas and adds any subject that the EAC deems “appropriate.” Listed studies include “[n]ationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office,” and “[i]dentifying, deterring, and investigating methods of voter intimidation.”

#### **U.S. Election Assistance Commission (EAC)**

In September 2005, the EAC hired two consultants to conduct a study on voting fraud and voter intimidation. In August 2006, the consultants completed their report and provided it to the EAC for review. EAC officials edited the report and publicly released a final version in December 2006.

On October 11, 2006, Richard Wolf of *USA Today* reported that “a preliminary report to the U.S. Election Commission has found little evidence of...polling place fraud...” Wolf based his statement on the following lines from the draft report that had not been publicly released: “There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, ‘dead’ voters, non-citizen voting and felon voters.” Wolf noted that opinions of election officials who read the report differed on the findings.

On April 11, 2007, a *New York Times* (NYT) article, written after the public release, reported that the EAC had altered the conclusions reached by elections experts (consultants) who had found little evidence of voter fraud in U.S. elections. According to the article, several democrats have said that the EAC changed the consultants’ report due to political motives. The article led to speculation and

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allegations from other media, public sources, and congressional members concerning the reason for the EAC's edits.

On April 12, 2007, U.S. Senators Dianne Feinstein (D-CA), Chairwoman, Committee on Rules and Administration, and Richard Durbin (D-IL), Chairman, Subcommittee on Financial Services and General Government Committee on Appropriations, sent a joint letter to EAC Chairwoman Davidson seeking a response to media allegations that the EAC's handling of the voting fraud and voter intimidation report, might have been politically-motivated. The letter cited the April 11 *NYT* article that reported that the EAC had changed the findings of "a bipartisan team of election law experts" which "found little [voter] fraud around the nation" to a conclusion "that the pervasiveness...was still open to debate."

On the same date, Congresswoman Zoe Lofgren (D-CA), Chair of the Committee on House Administration Subcommittee on Elections, sent a letter to the EAC indicating her concern with "what appears to be an emerging pattern by the EAC to hold off on publicly releasing reports as well as modifying reports that are released." Lofgren noted that the EAC's version of the report "does not accurately reflect the research in the original report" written by the consultants, causing Lofgren to question the EAC's motives and "lack of transparency." Lofgren questioned how she and other legislators can "rely on advice" from the EAC if they "are provided an inaccurate modified version [of the report] which negates clear evidence to the contrary in the original research?"

As a result of these media articles and congressional inquiries, EAC Chairwoman Donetta Davidson released a copy of the consultants' report to The Congress. She then requested, on April 16, 2007, that the EAC-OIG conduct a review of the circumstances surrounding the voting fraud and voter intimidation research project.

On April 27, 2007, the EAC-OIG requested and received investigative assistance from the DOI-OIG.

#### **DETAILS OF INVESTIGATION**

We initiated this investigation on April 27, 2007, at the request of the EAC-OIG, based on allegations that the conclusion in an EAC report on voting fraud and voter intimidation had been modified from its original findings due to political interference.

During the course of this investigation, we conducted over 25 interviews with the consultants, current and former EAC commissioners and staff members, and participants in the project's working group. We also reviewed tens of thousands of documents—those made public in accordance with the congressional production demand as well as some we requested from non-EAC employees.

We have outlined our findings in this report in the following four sections: 1) the hiring of the consultants who conducted the study, 2) the consultants' draft report, 3) substantive changes made to the consultants' draft report, and 4) the potential improper external influence over the EAC.

#### **The Hiring of the Consultants**

The hiring of the consultants for the voting fraud project was primarily overseen by four EAC employees—Research Director Karen Lynn-Dyson, General Counsel Julie Hodgkins, Election Research Specialist, and Executive Director Tom Wilkey. The group sought to hire a bipartisan team to conduct the project and ultimately identified three individuals.



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Tova Wang, a Democracy Fellow at The Century Foundation, was selected as the Democratic consultant. Wilkey said he recommended Wang for the project, citing that he had known Wang for years having worked with her at various times in New York. Wilkey said Wang had performed some work on voter identification and election reform for The Century Foundation.

Job Serebrov, an Arkansas attorney, was selected as the Republican consultant. Hodgkins believed Serebrov was qualified because of his extensive knowledge in the field of voter fraud and his experience working as the Louisiana state HAVA coordinator.

A political science professor [Exemptions 6 & 7C] was selected as a neutral party. The professor initially committed to the project but later withdrew during the preliminary stages of the project for unspecified reasons.

*(Agent's Note: The EAC commissioners ultimately held a vote and unanimously approved the selection of Wang and Serebrov. The commissioners at the time were Chairman Paul DeGregorio, Gracia Hillman, Ray Martinez, and Donetta Davidson.)*

Lynn-Dyson said she was initially responsible for organizing the project and providing oversight to the consultants; however, she later began feeling overwhelmed and unqualified to oversee the project and contract. She explained that she had not yet completed her training to become a Contracting Officer's Technical Representative (COTR) and had to continually rely upon Hodgkins for assistance with contracting issues. Ultimately, Lynn-Dyson requested that Wilkey transfer the project oversight and COTR responsibilities to an Election Research Specialist. Wilkey agreed and the Election Research Specialist, with extensive election experience, became the COTR on the voting fraud project.

Hodgkins said the scope of the contractors' work was an early topic of discussion. Hodgkins explained that the contractors were to start small by developing a definition of voting fraud, then survey existing law and available research, and finally provide recommendations on how the EAC might conduct a more extensive research project about voting fraud. The contracts for Wang and Serebrov, including the statements of work, are appended to this report.

Hodgkins further explained that the EAC never intended to publish the consultants' report, but that the consultants' contracts clearly indicated the contractors would provide the EAC with a draft report to utilize at its discretion. Hodgkins said she had never heard the consultants express their desire for draft publication or complain about the lack of publication.

Consultant Wang said she believed the contract called for her and Serebrov to create a definition of voting fraud/voter intimidation, assess the current state of research in the area, and conduct a preliminary survey of voting fraud. Wang acknowledged that their study was intended to be a first-glance overview, not a final measure of the topic. Wang said she believed they were to produce a draft, which the commissioners would review and for which they would provide input, and she and Serebrov would then produce a final report. She thought the draft report would be published but admitted that might have been a presumption on her part. She added that the EAC's guidance on how to conduct the project consisted of the contract's statement of work as well as communication from the project's COTR.

When asked if the contract included a publication clause or additional information about what would be published, Wang said she did not know. She added that, as an attorney, she always advises her

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clients to read contracts very closely. She said she was slightly embarrassed that she did not follow the same advice she tells her clients and was not as versed in her own contract's terms as she should have been.

Similarly, consultant Serebrov said the project "was a preliminary study." He said it was their job to define voting fraud in preparation for future EAC studies. Serebrov added that their findings were never meant to be a "final" report. "We had no guarantee that it would be published," Serebrov said. In fact, he said he had been told numerous times by both Hodgkins and the project's COTR that the report could and would be changed. He said the EAC's intention was "clear since day one."

Serebrov said the contracts he and Wang signed stipulated that the research would become the property of the EAC. He said Wang, however, did not like the fact that their report might not be published and wanted her work published just as she had written it. He believed Wang saw the issue of publication of her work as an issue of integrity and she became upset because she knew that people who had worked on other projects had their names published and received personal credit for their work.

Serebrov said he and Wang conducted 24 interviews of election professionals they selected from various working backgrounds to create a "spectrum" large enough to study. (*Agent's Note: The consultants' report shows that they actually interviewed 26 individuals.*) Throughout the process, Serebrov said he wrote monthly progress reports with invoices and sent them to the project's COTR, and that he and Wang reported to the EAC individually. According to Serebrov, no one at the EAC ever gave him any feedback on his progress reports. He and Wang synopsisized their interviews and findings in what became a draft report. Serebrov said they checked each other's interviews and made adjustments to which they both agreed.

Commissioner Hillman believed at the project's outset that the consultants' draft report would not be made public because it was intended to be used as background information for a future study. She believed that Wang and Serebrov probably thought all along that their work would be published.

Commissioner Davidson said she was unsure of specific publication plans for the consultants' report, although she was under the impression that the EAC had always intended to publish a draft of the consultants' findings in some format. She stated that the EAC "always [has] to do something."

Commissioner Rosemary Rodriguez said she did not know if the contract contained a publication clause. She offered that reports are typically made public, and she was certain the EAC's Board of Advisors expected a public report. She did not know, however, if the EAC intended to publicly release the consultants' report or only the final report.

Former Commissioner DeGregorio said that the consultants were hired to perform research after which the EAC would ultimately issue an EAC report. He added that the law stipulates EAC, not the consultants, issues reports. Although he did not know what the consultants' expectations were, and to his knowledge the consultants never discussed publication with the EAC, he opined Wang and Serebrov would have been "irrational" to believe their work would remain intact and unedited by the EAC.

The voting fraud project contract called for the creation of a working group to assist the consultants with the project. As with the selection of the consultants, and to reflect the organization of the EAC itself, the working group was designed to be bipartisan. According to the COTR, the selection of the working group members was a collaborative effort primarily between Wang, Serebrov, and the COTR.

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The working group consisted of nine members with various election backgrounds and political affiliations:

- Todd Rokita, Indiana Secretary of State, Member of the EAC's Standards Board and Executive Board of the Standards Board
- Kathy Rogers, Georgia Director of Elections; Member of the EAC's Standards Board
- J.R. Perez, Guadalupe County Elections Administrator, Texas
- Barbara Arnwine, Executive Director, Lawyers' Committee for Civil Rights Under Law, Leader of Election Protection Coalition (*Agent's Note: Arnwine was replaced by Jon Greenbaum, Attorney and Director of the Voting Rights Project, Lawyers' Committee for Civil Rights Under Law, when she could not attend the meeting.*)
- Benjamin Ginsberg, Partner – Patton Boggs, LLP; Counsel to National Republican Campaign Committees and Republican Candidates
- Robert Bauer, Chair of Political Law Practice – Perkins Coie; National Counsel for Voter Protection, Democratic National Committee
- Mark (Thor) Hearne II, Partner – Lathrop & Gage, St. Louis, MO; National Counsel to the American Center for Voting Rights
- Barry Weinberg, Former Deputy Chief and Acting Chief, Voting Section, Civil Rights Division, U.S. Department of Justice
- Technical Advisor: Craig Donsanto, Director, Election Crimes Branch, U.S. Department of Justice

The working group met once, during a day-long collaboration in Washington, D.C., on May 18, 2006. Present at the meeting were the nine working group members, the project COTR, Wang and Serebrov. In addition, EAC officials, including Hodgkins, DeGregorio and Wilkey attended the meeting at various times throughout the day.

#### **The Consultants' Draft Report**

According to the COTR, who had coordinated most of the EAC's interaction with Wang and Serebrov, the consultants' version of the report was submitted in several pieces on or about July 15, 2006. She said another piece of the report was submitted on August 5, 2006.

Once submitted, the consultants' report went untouched by the COTR or other EAC officials for approximately two months. The COTR was responsible for taking appropriate actions after receiving the report; [Exemptions 6 & 7C.]

Hodgkins reported that sometime in September or October 2006, Commissioner DeGregorio suggested that Hodgkins take over the project from the COTR, including responsibility for the editing process.

Wilkey recalled that he was the one who transferred the responsibility from COTR. He acknowledged that he should have reassigned the project [Exemptions 6 & 7C.] Wilkey said Hodgkins had excellent writing skills and the ability to get things done and was the obvious choice to complete the editing.

*(Agent's Note: Although Hodgkins was specifically given responsibility for the editing process, she did not conduct the process alone. All of the commissioners, along with Wilkey, provided editorial input before the report was made final. In addition, the COTR, Communications Director Jeannie*

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*Layson, and Deputy General Counsel Gavin Gilmour, along with several law clerks, reviewed the consultants' report and provided their own input.)*

According to Commissioner Hillman, it was inexcusable that the project went untouched by the EAC for two months after being submitted. Although she understood [Exemptions 6 & 7C] Hillman believed the COTR still had a duty to inform somebody at the EAC that the draft had been submitted and was awaiting action.

Former Commissioner Martinez acknowledged that the EAC should have done a better job ensuring the timeliness of the report's release. He offered that he and the other commissioners deserved blame over this issue. DeGregorio repeated this sentiment, acknowledging that the EAC should have reassigned the report from the COTR earlier than they had.

Because of the delay in publication, various individuals, media sources, and advocacy groups such as the Brennan Center for Justice, alleged that the EAC suppressed the release of the consultants' report due to outside influence. The April 12, 2007 letters from Senators Feinstein and Durbin and Congresswoman Lofgren also questioned the delay in publicly releasing the report.

Our investigation revealed that after Hodgkins collected and reviewed the consultants' report; she found the draft report to be poorly written and disorganized. After making her edits, she sent the report to the COTR, Gilmour, and Layson for their review and input. All three concurred with Hodgkin's assessment of the consultants' report, as did the other EAC officials discussed in the paragraphs below.

As EAC's liaison with the consultant, the COTR was exposed to the consultants' writing at various times throughout the project. The COTR agreed with Hodgkins, believing the report was not well-written and included tense shifts and typographical errors.

Gilmour agreed with Hodgkins' edits, adding that the consultants' "work product was so bad" that the EAC could not publish their report as submitted. The draft was stylistically not well-written and lacked readability, according to Gilmour.

Wilkey affirmed that he had personally read the draft and agreed with his colleagues that it needed to be edited. He recalled that the draft report had to be edited for various reasons, mostly stylistic, with one issue being a lack of cohesiveness. He said it did not seem to "flow," a criticism also leveled by Hodgkins, the COTR, and Layson. Being familiar with Wang's work, Wilkey said the report "wasn't her best work."

In addition to stylistic, grammatical, and typographic problems, several interviewees discussed what they believed to be a more important issue with the consultants' information; they believed the consultants' research and analysis was flawed.

According to Commissioner Hillman, the consultants' conclusions could not be easily corroborated by supporting data. For example, Hillman said that, in reviewing the draft report, she wanted to further examine the issue of harassment of minorities and challenger laws; however, when she looked for details in the interview summaries to support the conclusions the consultants reached, she said she discovered that only four of the interviewees had even mentioned the issue. She said only one interviewee specifically discussed the issue, referring to a case in North Dakota. In her opinion, data was limited in some areas and did not necessarily support the conclusions well.

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Hillman believed that if somebody challenged the study, she and the other commissioners could not rely on research that was not arduous and complete enough to adopt as “gospel.” Even though she thought the contract’s scope was clearly understandable, she thought the COTR was too inexperienced in the matter to clearly define for the consultants what the EAC was looking for in the project. Furthermore, in practical terms, Hillman believed the study was too broad and too “massive” for analysis.

Commissioners Davidson and Caroline Hunter agreed that the consultants reached conclusions that were not supported by the documentation and the interviews. Hunter added that the research was flawed enough that she “wouldn’t even call it research.”

Hodgkins opined that the consultants exceeded the scope of their contract by attempting to make global conclusions about the voting fraud issue—something she said they were never contracted to do. She said that the manner in which the consultants worded their generalizations makes the reader believe they are making conclusive statements about voting fraud, and she emphasized that the project was never intended to determine the extent of voting fraud in U.S. elections.

Both Layson and Gilmour agreed with Hodgkins that the consultants reached conclusions they should not have made, exceeding the scope of their contracts. Layson said the conclusions based on a limited amount of interviews caused readers to interpret those conclusions as real or authoritative when they should not be considered so. She affirmed that the EAC never expected the consultants to reach conclusive findings, especially not based on such a limited study.

Gilmour believed the consultants’ report reached partisan conclusions that should not have been made. He believed the consultants wrote “unwise sentences,” not carefully considering how they would be read. Gilmour opined that one has to be cognizant of the press and how one’s words might be interpreted. He believed the final report essentially retained the consultants’ information while wording it more carefully.

Commissioners DeGregorio, Davidson, and Hillman each believed the contract was intended as a preliminary study to define voting fraud for use in a future EAC study, and each believed the consultants exceeded the scope of the project by drawing conclusions. DeGregorio believed there was “no question” the consultants exceeded the scope of their contracted objective by reaching conclusions, particularly those not supported by vigorous research of the facts and based on a limited number of interviews. He further remarked that Hodgkins’ edits did not reflect a partisan bias but, instead, tried to “bring [the report] back” to the intended scope.

Commissioner Martinez did not necessarily believe the consultants exceeded the scope of the project by reaching conclusions. His understanding was that the consultants were hired to essentially perform a literature search and a comprehensive review on how the EAC could strategically approach this issue in the future. He said the consultants’ work was intended to “bring [the EAC] up to the doorstep” but not “settle the issue.” He offered that the contract’s statement of work was the best authority on the scope of work, adding that the EAC staff members should have been monitoring the consultants’ work to make sure their work was within scope.

Several EAC employees noted that the report also contained inaccuracies. As an example of those inaccuracies, they pointed to the consultants’ interview summary of Craig Donsanto, Chief of DOJ’s Election Crimes Section in the Public Integrity Section, the technical advisor of the project’s working

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group and a member of the EAC's BOA. Others pointed to the handling of Donsanto's interview summary as improper influence on the EAC by DOJ.

In their summary of Donsanto's interview, the consultants wrote that Donsanto said DOJ was shifting its prosecution strategy from the prosecution of voting fraud conspiracies to the prosecution of individuals who commit voting fraud.

According to Donsanto, as a member of the working group, he had access to the summary of his interview. He said that, after reading the summary of his interview and seeing that his words were wrongly interpreted, he called the COTR and possibly Wilkey to complain about the inaccuracies. He said the COTR, who had been present during the interview, reviewed the summary and agreed with Donsanto that the summary did not accurately reflect what the COTR had heard Donsanto say in the interview. The COTR told him the interview would not be included in the final report as written and, at a later date, told him the interview would be rewritten accurately.

When investigators questioned Donsanto about the inaccuracy, he recalled that Wang had asked him if the amount of voting fraud had increased or had stayed the same over the years. When he responded that it had stayed the same, Wang interpreted that to mean the issue was of minimal concern to Donsanto and DOJ, which he assured was neither his nor DOJ's stance. He believed Wang thought "stayed the same" was equivalent to a minimal amount; Donsanto said he simply meant that the amount had not increased or decreased from the amount that already existed. He said DOJ, at the direction of the U.S. Attorney General, *added* the prosecution of individual voter fraud to their continuing prosecution of conspiracies; they did not *replace* the latter with the former.

Donsanto believed the consultants—mostly Wang—wrote what they wanted to hear regardless of what he had told them. He said it was clear to him that Wang's politically-biased line of questioning indicated she was following her own agenda.

Donsanto told investigators that the COTR's [Exemption 6 & 7C] presence as a "witness." He said he personally makes it a point to have a witness present when providing statements on the record, adding that it is common practice at DOJ for a witness to be present during interviews such as the one he gave the consultants to ensure the accuracy of comments and to maintain the integrity of the process.

Wang said she was certain that what the consultants had written was what Donsanto had told them in his interview, adding that Serebrov heard the same thing and agreed with what was written. Wang said the COTR sided with Donsanto for various reasons. Wang opined the COTR's longstanding professional relationship with Donsanto affected the COTR's version of events. Additionally, Wang said the COTR spoke with her about the sensitivity of the prosecution issue and how DOJ might react to the consultants' version of Donsanto's interview. She believed the EAC's change to Donsanto's interview summary was evidence of DOJ's special interest in the project. Wang opined it was unethical to allow only one interviewee to see the summary of his interview while excluding the others from seeing theirs.

Serebrov stated that he could not recall the specific details of the disagreement regarding Donsanto's interview summary. He recalled only that he and Wang had heard the same thing that Donsanto said about DOJ investigations.

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Serebrov had no issues with the other edits made to the draft report. He said he believed his work was fine because the EAC never provided feedback to his monthly progress reports; however, his work was for the EAC which had the right to do with it as they pleased.

In contrast to Serebrov's attitude about changes to his work, Wang was upset at the various changes and believed the report was inappropriately edited. She told investigators that, although she did not initially believe the changes made to her and Serebrov's report was "extreme," she changed her opinion after considering all the information that had been made public. She also pointed out that she was not allowed to view the EAC's final report before it was published. She said that the EAC "threw our work in the garbage" without justification.

During the interview, the COTR said the consultants insisted on no changes to Donsanto's summary even after the COTR had forwarded to them Donsanto's comments about the inaccuracy of the interview summary.

The COTR had the perception that the consultants believed they were experts and thought their work should remain unchanged, and they did not want a single word changed in the report they submitted.

#### **Substantive Changes Made to the Consultants' Draft Report**

The EAC publicly released the voting fraud final report on December 7, 2006. On April 11, 2007, the *New York Times* (NYT) article reported that the EAC had altered the conclusions reached by the consultants. According to the article, the conclusion was changed due to political motives in order to reflect that the pervasiveness of voter fraud was debatable. The articles led to speculation and allegations from other media, public sources, and congressional members concerning the reason for the change. The article captured some of the comments, which ultimately led to this investigation:

"This was the commission's own study and it agreed in advance to how it would be done, but the most important part of it got dropped from the final version," said Representative Jose E. Serrano, Democrat of New York and chairman of the House appropriations subcommittee that oversees the commission. "I don't see how you can conclude that politics were not involved." Representative Maurice D. Hinchey, another New York Democrat, who requested the draft report from Ms. Davidson during a subcommittee hearing last month, agreed. "By attempting to sweep this draft report under the rug, the E.A.C. is throwing out important work, wasting taxpayer dollars and creating a cloud of suspicion as to why it is acting this way," he said.

Investigators compared the differences between the consultants draft report and the final EAC released report and questioned key personnel regarding their interpretation of the changes. Our comparison found the most significant change to the consultants' report appeared to be in the conclusion. The consultants' report read, "there is widespread but not unanimous agreement that there is little polling place fraud." The final version of the report after editing by EAC officials concluded in its executive summary that "there is a great deal of debate on the pervasiveness of fraud."

On August 30, 2007, an article written by Tova Wang, titled "A Rigged Report on U.S. Voting?" was published in the *Washington Post* newspaper. In the article, Wang wrote: "...our preliminary research found widespread agreement among administrators, academics and election experts from all points on the political spectrum that allegations of fraud through voter impersonation at polling places were greatly exaggerated. We noted that this position was supported by existing research and an analysis of

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several years of news articles. The commission chose instead to state that the issue was a matter of considerable debate. And while we found that problems of voter intimidation were still prevalent in a variety of forms, the commission excluded much of the discussion of voter intimidation.”

The phrasing of the final report’s conclusion regarding vote fraud was also examined by Ian Urbina in his April 11, 2007 *NYT* article. Urbina wrote in his article: “Though the original report said that among experts ‘there is widespread but not unanimous agreement that there is little polling place fraud,’ the final version of the report released to the public concluded in its executive summary that ‘there is a great deal of debate on the pervasiveness of fraud’”.

Urbina drew a comparison between the EAC’s revisions and Republican justifications for voter identification laws. His charge was then picked up by various sources, including election law professionals, academics, mainstream media, alternative media, and congressional members.

A majority of those who were interviewed during this investigation could not specifically articulate differences between the reports, or they said the reports were not substantially different. Those who noted differences in the reports primarily pointed to: the change in the conclusion about the “pervasiveness” of vote fraud; the title change; and the inclusion of an executive summary.

Investigators questioned both current and former EAC officials about their changes to the consultants’ conclusion. Specifically, they were asked to provide information about why the EAC changed the conclusion and what it meant for the EAC to say “there is a great deal of debate on the pervasiveness of fraud.”

Generally, EAC officials’ opinions of the changes did not differ significantly. Most officials said the two reports were not substantially different.

Commissioner Hillman said she did not believe the two reports were substantially different. She said the final report did not favor a political party or stance—it simply said a lot of work needs to be done before a conclusion can be reached about the amount of voting fraud in U.S. elections.

Hillman added that, at some point, Urbina told her that the word “pervasive” in the context of voting fraud is a “Republican word.” Hillman said she had never before heard of such a connotation and recalled no such personal view when she read the word “pervasiveness” in the final report. She offered that if the word was chosen for political reasons and added to the report tactfully to elude her notice, it had worked; however, she did not believe anybody at the EAC edited the report with political bias. She said Hodgkins was a better source regarding the reasons for the edits because Hodgkins was the primary editor.

Commissioner Davidson said readers’ impressions of both reports should be the same. She added that “there are conclusions” in the final report; however, the EAC’s final version did not make conclusions that could not be supported by the researchers’ findings.

Commissioner Hunter initially told investigators that the consultants’ report had a strong “Democratic” bent to it; however, in reconsideration, she said she did not think the report favored a particular party. She believed the report did, however, reach conclusions that were improperly drawn.

Commissioner Rodriguez opined that the consultants’ report is more aligned with the Democratic view about the lack of voting fraud in U.S. elections, although she believed its conclusions could also be



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considered “reasonable.” She believed the final report simply states there is insufficient information to make a conclusive judgment—a “reasonable conclusion.” She called the final report “benign,” saying both reports’ conclusions are reasonable—the consultants’ is simply more partisan in its approach.

Commissioner DeGregorio said the consultants simply should not have reached conclusions in their report. He believed the conclusions were based on a limited number of interviews and limited research, and Hodgkins’ edits, rather than reflecting a partisan bias, tried to “bring [the report] back” to fit the intended scope. DeGregorio noted that Hodgkins’ editing process for the voting fraud project followed the EAC’s standard operating procedures, involving multiple EAC employees whose suggestions were considered for the final edit.

Layson said the consultants’ report arrived at conclusions, exceeding the scope of the contract, based on the small sample of interviews. She said the final report explains the process of the study and puts the consultants’ work in context, although it also should have made clear that the consultants’ work was not a definitive study. She believed the consultants’ conclusions should not be taken as definitive statements about voting fraud.

Hodgkins said she did not edit the report with political bias, adding that the consultants’ report does not say conclusively that voting fraud is or is not pervasive in U.S. elections—it merely recapitulates what the consultants’ interviewees told them about voting fraud. According to Hodgkins, the final report concludes there is a lot of debate about voting fraud/election crimes, although the issue requires more research—the very thing, she pointed out, that the EAC intended to do following the consultants’ preliminary study Hodgkins explained further, that neither the working group nor the board of advisors was given a copy of the final report prior to its release. The consultants also were not given the opportunity to view the edited final report. Hodgkins said the consultants were not given the opportunity to review the final report because they were hired essentially to provide the initial draft. After they had completed their work, there was no longer a relationship. Hodgkins opined that releasing the report to either of the consultants would have been equivalent to releasing the report to the public.

The COTR said the EAC’s final report indicates that, although voting fraud exists, there is insufficient evidence to make a clear conclusion about its pervasiveness. Due to the COTR’s elections experience, it is difficult to determine the extent to which voting fraud occurs because data is essentially anecdotal, with fraud seeming more prevalent in politically-charged regions of the country. The COTR emphasized that the main problem with the reports was that the consultants thought they were experts and did not want even a single word of their report changed.

One working group member said the EAC had the right to question the consultants’ report; however, the EAC should not have changed their work product. He believed EAC’s changes should have been agreed to by everybody, including the consultants. Because the final report was the product of an “absolutely ludicrous,” “sham” process, he opined it “has no credibility.”

*(Agent’s Note: The final report changed the consultants’ title of “Voting Fraud and Voter Intimidation” to “Election Crimes.” Along with the change to the consultants’ original working definition, the EAC changed the title ostensibly to reflect what they believed was a more accurate reflection of the issue.)*

Hodgkins said the definition of voting fraud the consultants were tasked with formulating ended up as more of a compilation of information rather than an actual definition. Their draft definition was

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unworkable for the EAC and, to help limit the scope of any future EAC study of the voting fraud issue, the scope was changed to "election crimes."

Donsanto said the change in the final report to "Election Crimes" more accurately described the issue than did the previous title. As a leading expert in the field of election crimes, Donsanto said the consultants did not understand what DOJ considered to be "criminal."

Wang opined in her *Washington Post* article that one should consider the revised title. "Whereas the commission is mandated by law to study voter fraud *and intimidation*, this new report was titled simply "Election Crimes" and excluded a wide range of serious offenses that harm the system and suppress voting but are not currently crimes under the U.S. criminal code."

The final report contains an executive summary that did not exist in the consultants' draft. Hodgkins said she added the summary at the commissioners' direction for organizational reasons. She added that, although the nature of an executive summary allows for different interpretations, there is no difference in content between the consultants' report and the final report. She opined the final report improved the consultants' poorly-written report and provided a more balanced view.

#### **Potential Improper External Influence over the EAC**

As previously noted, allegations were made by several sources suggesting there were political or other external pressures that influenced actions by the EAC regarding the voting fraud report.

During our investigation, information was received that suggested that Commissioner Davidson had received "outside" pressure to not release the consultants' report. Specifically, the allegation was that an EAC attorney was aware that Commissioner Davidson had received pressure from the White House to not release the consultants' report. Allegedly, Davidson was upset by the phone call and told Martinez about the incident, who in turn told the attorney during a private conversation.

When interviewed about this allegation, the EAC attorney said he did not personally witness the incident and knew only what Martinez had told him. According to the attorney, sometime just prior to the consultants' submission of their report—probably around June 2006—Davidson had entered Martinez' office and tearfully told Martinez that she was receiving political pressure to not release the consultants' report. The attorney said he did not know either the source of the pressure or what form it took. He said the pressure could have come from somewhere other than the White House, and it could have occurred in an e-mail or even some other form.

The EAC attorney said he told another EAC employee and possibly another EAC attorney and an EAC Research Specialist, about the incident. He said he had told others not in the spirit of gossip but because he was concerned that projects such as the voting fraud project might be "hamstrung" by external pressure.

When Martinez was asked about the alleged incident, he confirmed that he was told by Davidson of being pressured to not release the report; however, he explained that the actual circumstances were different from the rumors that were circulating.

Martinez recalled that, at an April or May 2006 meeting, members of the EAC's Standards Board and Board of Advisors were briefed about the Eagleton study (a completely different project) on provisional voting that was being finalized for publication. Martinez said the board members found

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the controversial report to be poorly-written and poorly-executed, and the election officials among the members “crucified” the study. In particular, Martinez said, one of the board members “was up in arms,” saying the report was inaccurate, wrong, and should “never see the light of day.”

According to Martinez, during a staff update or briefing in June 2006 attended by him, Hillman, DeGregorio, Lynn-Dyson, and either Hodgkins or Gilmour, the Eagleton study was again discussed. Martinez said that, when Lynn-Dyson told the commissioners that the study was in the process of being edited and prepared for finalization, he “took the opportunity to lay down a marker” for his EAC colleagues regarding the upcoming voting fraud and voter intimidation report. Because he was a proponent of greater transparency at the EAC, he forcefully argued his belief that when the consultants completed their voting fraud report, the EAC should release it in its original form no matter what the EAC ultimately decided to do with it. He said he was “getting signals” of support from Hillman and DeGregorio; however, Davidson “was pushing back.”

Fewer than five minutes after the meeting adjourned, Martinez recalled, Davidson stopped by his office to talk. Martinez said Davidson came to his office “clearly distressed” and, although she was not crying, as an EAC attorney had reported, her “eyes welled up” with emotion. Martinez said Davidson told him she was receiving a lot of pressure to not release the consultants’ voting fraud report.

Martinez said he felt compassion for Davidson. In November 2005, [Exemptions 6 & 7C,] Davidson was very supportive, comforting, and compassionate—something for which Martinez said he will always be appreciative. Because Martinez felt as if he owed Davidson the same emotional support she gave to him in November 2005, he “backed off” of his push to release the consultants’ report. Martinez said, although he still personally believed the EAC should publicly release the consultants’ report upon receipt, he felt enough compassion for Davidson that he stood by his decision to support her.

Martinez said he did not know the source of the pressure on Davidson, nor did he even care to know. He was more concerned with supporting Davidson than discovering who was pressuring her. He believed the pressure came from the same constituency of election officials that Davidson, an election official, brought to the position and that criticized the Eagleton report. Martinez said that, because he understood the nature of Davidson’s constituencies, he “backed off.”

Martinez denied having direct knowledge that the impromptu conversation with Davidson took place because of a phone call from the White House to Davidson, emphasizing that he believed the incident occurred because of the conversation that occurred in the staff meeting that day. He reiterated that he had witnessed no evidence of undue influence over the voting fraud project. Martinez confirmed he told an EAC attorney and a family member wife about the incident; however, he said the motivation was not to gossip and was not “sinister.”

When asked if he told anybody else, Martinez said, regretfully, that he told the Brennan Center’s Wendy Weiser because she was part of his “kitchen cabinet” of advocates which included someone from the League of Women Voters and a person formerly with the DOJ Civil Rights division, and now with People for the American Way. Martinez said, in retrospect, that he “shouldn’t have” told either the EAC attorney or Weiser about the incident because they simply did not need to know. Further, he believed that Weiser, without understanding the context of his relationship with Davidson and without knowing that the pressure was more perceived than real, might see the incident as part of “her conspiracy theory” over the voting fraud project rather than as the innocuous event it really was.

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When contacted, Weiser corroborated that she had a telephone conversation with Martinez, probably in June 2006, and was told of Davidson feeling pressured to release a report. She said she could not be certain that Martinez was referring to the voting fraud report in their conversation, although she believed he was.

Davidson's recollection of these events was different from Martinez's; in fact she did not recall ever speaking with Martinez about pressure related to the voting fraud project. She said she had no contact with anyone outside the EAC concerning the report during the voting fraud project. Rather, she said, a similar incident took place over the *voter identification* project. According to Davidson, the only report that bothered her was the voter identification report, which she opposed because it was substantively deficient and inaccurate. She said the only pressure she felt was self-imposed—a pressure to not support a report with which she did not agree.

Davidson said Martinez is a trustworthy person, and she agreed with him that she was “emotional” in their conversation and that it took place following a staff meeting; however, she reiterated that she and Martinez discussed the *voter identification report*, not the voting fraud and voter intimidation report. She added that she did not feel pressure or intimidation over the voting fraud report and, therefore, refuted the allegation that she told Martinez she felt pressure not to release the report.

Additional allegations received during the investigation suggested that the DOJ had an improper influence over the EAC. The basis for these allegations was the previously discussed changes to Donsanto's interview and certain e-mail messages of Hans von Spakovsky, EAC board member and former counsel to the Assistant Attorney General for DOJ's Civil Rights Division.

Consultant Wang told investigators that on January 13, 2006, von Spakovsky, sent an e-mail to the EAC commissioners and to The Congress expressing his desire to “kill the [voting fraud] project.” Wang said she assumed he objected to her selection as one of the consultants because he did not like her views about voter identification.

In her article, Wang repeated her allegation that von Spakovsky complained about her being hired as one of the consultants for the report. In addition, she stated: “Officials at Justice were actively involved in the report throughout the process and even exerted some degree of editorial control over the new report. And it is evident from the commission's ‘document dump’ that its Republican general counsel assumed primary control over the rewriting of the report.”

Von Spakovsky denied Wang's assertion that he wanted to halt the project, believing there was a need for a comprehensive study of voting fraud. He did believe, however, that Wang was a poor choice to conduct that study because of her inexperience as either a prosecutor of election crimes or as an election official, and because of her outspokenly-biased belief that voting fraud was a myth.

Von Spakovsky explained further that he did not attempt to influence anything about the voting fraud project other than the selection of Wang as a researcher which, he said, other EAC board members also opposed. He said he had no communication with Wang or Serebrov, and he did not discuss the consultants' work with anybody at the EAC prior to the issuance of the final report. He added that he had no idea what the EAC was planning to write in their final report, and he had no influence over the project.

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According to DeGregorio, von Spakovsky was specifically concerned that Serebrov might not be an adequate Republican foil to Wang's liberalism and aggressive personality. DeGregorio and Martinez assured von Spakovsky that Wang was a proper selection.

There was also speculation and the allegation that von Spakovsky attempted to influence the EAC before the voting fraud project. A series of e-mail messages between a former congressional aide, DeGregorio, and von Spakovsky in August 2005 led to allegations that DeGregorio had been unduly influenced in his position at the EAC. The e-mails pertained to two separate voting issues over which the EAC and DOJ disagreed: a voter identification requirement in the state of Arizona, and a citizenship checkbox requirement interpreted in an EAC best practices document. *(Agent's Note: While these e-mails were not related to the voting fraud project addressed in this report, they are mentioned to explain the basis for some of the allegations.)*

In the August 29, 2005 e-mail chain between the former congressional aide, DeGregorio, and von Spakovsky, the aide indicated his belief that the EAC and DOJ had reached "a political compromise agreement" regarding the conflicting opinions regarding Arizona voter identification. He believed DOJ was correct in its interpretation of the Arizona voter identification issue.

According to von Spakovsky, DOJ and the EAC had made a deal at a meeting between the two agencies. Von Spakovsky believed that the meeting adjourned with the understanding that DOJ would modify its stance on the Arizona issue to align with the EAC's interpretation; in turn, the EAC would fix its best practices manual to reflect DOJ's interpretation about citizenship checkboxes on ballots.

On August 29, DeGregorio sent an e-mail to von Spakovsky asking if the congressional aide's e-mail was the result of von Spakovsky's actions. DeGregorio wrote, "If so, I do not appreciate it." DeGregorio noted that von Spakovsky had "indicated that the previous DOJ position on this issue was to be withdrawn," and further noted that the EAC had "given Arizona and DOJ all summer to act on this issue to correct the previous position they have taken so that there would not be conflicting interpretations of HAVA by two federal agencies."

In an August 30, 2005 e-mail, von Spakovsky refuted DeGregorio, reminding him that "...[w]e had a deal where I told you we would consider taking the position you were pushing even though we think it is too strict if you would correct the obviously wrong position on the citizenship checkbox." Von Spakovsky opined, "The fact that [Gracia Hillman] does not want to do this because she does not want to anger her friends at the league of women voters is no reason for you to be railroaded into this."

DeGregorio then responded to von Spakovsky via e-mail, "First of all, I do not agree to 'deals,' especially when it comes to an interpretation of the law." He clarified that he told von Spakovsky the EAC was already in the process of correcting its best practices position on the checkbox issue, adding that the delay did not have anything to do with Hillman. DeGregorio added that the EAC was devoted to "getting proper balance" in their contracted work, and he assured von Spakovsky that he was "not being 'railroaded' by anyone on [the] Commission...".

Von Spakovsky explained that "the law was not crystal clear" on the two issues. He said the EAC and DOJ's cooperation was a common practice amongst federal agencies and a positive attempt to resolve disparate information provided to states; therefore, characterizing the interaction as inappropriate was wrong.

Case Number: Exemption 2

Martinez did not see a problem with von Spakovsky lobbying for political purposes, asserting that political appointees are expected to lobby on behalf of their respective parties. He added that HAVA requires DOJ representation on the EAC's boards, and because von Spakovsky sat on the EAC's board of advisors, he rightfully lobbied on DOJ's behalf. Still, Martinez believed DeGregorio made decisions in the public's best interest, and he asserted that von Spakovsky and DOJ had no undue or improper influence over the EAC in the voting fraud project.

DeGregorio said the communication between he and von Spakovsky was not unusual; however, he believed that "too many of [von Spakovsky's] decisions are clouded by his partisan thinking." According to DeGregorio, von Spakovsky thought DeGregorio should use his position (on the EAC commission) to advance the Republican Party's agenda.

DeGregorio said von Spakovsky certainly "tried to influence [him]. There's no question about that." DeGregorio acknowledged that, although some individuals external to the EAC tried to influence his actions, he neither catered to those attempts nor showed favoritism in his position, ensuring that partisan politics did not impede the right of every individual to vote in a fair election.

#### **DISPOSITION**

This Report of Investigation will be forwarded to the EAC's Inspector General.

Ms. LOFGREN. Thank you very much, Mr. Crider.

I would note that ordinarily we have a little red light that goes on when your time is up, and it is not functioning today. But you were very terse, and we appreciate that.

We will now go to our 5 minutes of questions. I think I will, when we get close to our 5 minutes, I will do my gavel so members can know that they need to wrap up.

And we will start first with my colleague from California, a member of the subcommittee, Congresswoman Susan Davis, for 5 minutes.

Mrs. DAVIS of California. Thank you very much.

Thank you, Mr. Crider, for being here.

I appreciate the fact that you raise the issue in the difference between the two versions. I am just wondering the extent to which did you feel that this was a pretty big edit or a not-so-big edit? And is there a way that the EAC might have been able to deal with this in a way that is a little more up-front?

Mr. CRIDER. That is a politically charged question, in terms of the various versions, because—depending upon the reader and how they want to interpret the writing.

Could the EAC have done better? Yes, they could have. Could they have involved the consultants in the revisions to the report? One of the issues that became involved here was that the consultants' contract had, in fact, expired and that, when they delivered the product, the EAC took it and then started working with it. But, yes, we could have involved the consultants with the revisions to the report.

But I think it goes back further, in terms of how the project was initially structured and how it was managed; that, even from the very beginning, I think there was confusion as to what was going to be delivered, how it was going to be delivered and what was going to be done with the product.

And when you go back through the whole history of the project—and I think that led up to this particular scenario—is that, when we got the product, we did not go back, as you would with any other contractor, and try to work with the contractor to get revisions to the product.

The project was done under a personal services contract, which means that they were basically employees of the agency during this period of time, and their work then became the product of the agency—or the agency-only work product.

So I think a number of things contributed to this, but, yes, they could have done better. They could have worked with the consultants, in terms of making the revisions and trying to make sure they understood why the revisions needed to be made. And I think that is where one of the biggest failings was, is that we didn't go back and say, "Okay, this is why we need to make those changes."

Mrs. DAVIS of California. Clearly, I mean, the EAC is in a difficult position. But I am just wondering, what kind of pressure do you see that they actually do come under to deal with that pressure?

Mr. CRIDER. I think I should let the Commissioners answer that question, because they are the ones that have to deal with that. I

don't have to deal with it. So I think they would be the ones in the best position to answer that question.

Mrs. DAVIS of California. What do you think Congress could do or should be doing to be more involved in this process? Is there anything that you see that is appropriate?

Mr. CRIDER. I think the hearing today and things of this nature, where there is oversight, vigilance in terms of what the EAC is doing, and making sure that the EAC has sufficient resources to do the job that it needs to do, would all contribute toward a successful mission.

Mrs. DAVIS of California. And when you take a look at other agencies like the EAC, how does it compare?

Mr. CRIDER. We are extremely small in relationship to other Federal agencies.

During the period of this study, the EAC was also under a personnel ceiling cap, is my understanding, where they could not hire people. So they had people trying to perform multiple jobs and multiple functions at the same time.

That cap has now been removed, and the EAC is trying to hire people so that people can start performing the functions that they were hired to do, versus trying to do multiple jobs at the same time.

Mrs. DAVIS of California. Thank you. I appreciate it.

Madam Chair.

Ms. LOFGREN. Thank you. The gentlelady yields back.

I just realized that I invited you to give your testimony without properly introducing you to our audience. So if I may just divert for a moment, Mr. McCarthy.

Mr. Crider, as we know, is the IG for the U.S. Election Assistance Commission and has been since August of 2006. He has 32 years of auditing experience in the Federal Government and is a 1975 graduate of Clemson University. He is also a certified public accountant and a certified internal auditor. And we are pleased to have him here today.

And, with that, I would yield to the ranking member, Mr. McCarthy, for his 5 minutes of questions.

Mr. MCCARTHY. Thank you, Madam Chair.

I just got your IG report last night. I guess it is dated March 10th. Looks rather thorough, 17 pages. I read through most of it.

How many hours did you put into this audit?

Mr. CRIDER. We contracted with the Department of the Interior Office of Inspector General to conduct the investigation. So I don't know how many hours they put into it. If you would like that information, we can get it.

Mr. MCCARTHY. Okay. If you can follow up, that would be very helpful.

But I was wondering, after investigating all the circumstances surrounding the vote fraud and the voter intimidation research project, did you find any evidence of partisanship on the part of the EAC?

Mr. CRIDER. No, we did not.

Mr. MCCARTHY. Having gone through all of that, as well, did you find any evidence that Hans von Spakovsky influenced the content of the report?



Mr. CRIDER. He sent some e-mails to the Chair of the EAC at that particular point in time, and the Chair responded very strongly that he would not be a party to any deal-making, he would not be a party to any type of pressure or anything of that nature. So I think the EAC responded appropriately.

Mr. von Spakovsky does not believe that he tried to unduly influence the project. But, like I said, I think the Chair of the U.S. Election Assistance Commission responded appropriately.

Mr. MCCARTHY. Do you feel it is proper that people are able to e-mail and give input to the EAC?

Mr. CRIDER. You have to have public input; you can't operate in a vacuum. There is a very strong constituency out there. This is a very important arena that we work in. And saying people can't e-mail or talk to people would not be appropriate, because I think you would have to have a wide base of people that you get ideas from and thoughts from and even criticism. So I think you do need that.

Mr. MCCARTHY. Okay. I agree with you. I believe we should be very open. I believe e-mails give you greater accountability and give you greater input and give you continual education upon the subject.

You had mentioned a little earlier about the staffing size and the multiple jobs. Do you find that was one of the major problems when it comes to some of the points you lay out about their need for greater bookkeeping?

Mr. CRIDER. I think people were stretched very, very thin, and they were trying to do multiple things at the same time. And, in some cases, I think people may have been doing functions that they maybe should not have been.

And that is just where you need to have enough people in order to segregate duties, to make sure that people do stay within their areas of expertise and can then perform the functions they were hired to do.

Mr. MCCARTHY. How many more people do you feel the EAC needs to hire to be able to—

Mr. CRIDER. Right now I think they have hired seven people, to date, in the last 6 months.

And I think the—one of the things that the EAC needs to do is to take a look at—which we recommended as part of our assessment report—is take a look at the skill sets that they currently have and what skill sets they need to acquire, as well as develop strategic plans, operating goals and procedures.

Right now, they are sort of like a ship without a rudder. And they need to focus in on what the mission of the organization is and determine what level of resources they do need. So I cannot give you an answer—10 people, five people. I think the Commission needs to focus in on that and decide what its mission is and how they are going to go about doing it.

Mr. MCCARTHY. Do you think a year is enough time to—some of the corrections you asked for in here—is enough time to achieve all of that by the EAC?

Mr. CRIDER. I would like to think that some of them could be done a lot sooner than that. And that is one of the reasons why

we requested the action plan as a part of our assessment report, so that we can monitor and track.

Some of the things are going to take an extensive period of time. This is not going to happen overnight. But I would think a year should be more than sufficient time for them to get the stuff done that we think they need to do.

Mr. MCCARTHY. Okay. Well, I thank you for your time.

And I yield back, Madam Chair.

Ms. LOFGREN. Thank you.

I would recognize Mr. Artur Davis, member of the committee, at this point.

Mr. DAVIS of Alabama. Thank you, Madam Chairwoman.

Let me, Mr. Crider, turn to, I guess, the part of the report that is probably of most interest to people who aren't knowledgeable about all the weeds—that is, the portions related to Mr. von Spakovsky.

As I understand it, he has been nominated for a position on the FEC, and there has been a significant amount of controversy around his nomination. Is that right?

Mr. CRIDER. Yes, that is my understanding.

Mr. DAVIS of Alabama. Did you—and I apologize, I did not have more time to read your report—but did you interview him in connection with preparing your IG report?

Mr. CRIDER. Yes, he was interviewed.

Mr. DAVIS of Alabama. And did you question him about this August 29, 2005 e-mail that refers to, quote, “a political compromise agreement”?

Mr. CRIDER. Yes, sir.

Mr. DAVIS of Alabama. And did he—just give me some sense of what his response was to this notion of a political compromise agreement between DOJ and EAC.

Mr. CRIDER. I am sorry, sir?

Mr. DAVIS of Alabama. Could you give me some sense of what his reaction was to that language, “political compromise agreement”? Did he share that characterization? Did he dispute it? What was his reaction?

Mr. CRIDER. Mr. Davis, I don't have the report right here in front of me. And I would prefer to provide you that information for the record, if you don't mind.

Mr. DAVIS of Alabama. Well, do you remember that? I mean, it seems like a fairly meaningful conversation.

Mr. CRIDER. The Department of the Interior conducted the investigation for us, okay?

Mr. DAVIS of Alabama. Okay.

Mr. CRIDER. And we have copies of the interviews, and we have read the interviews, but it was over a period of time, and I don't want to misquote.

Mr. DAVIS of Alabama. Well, let me try to perhaps pick up where Mr. McCarthy left off. The question that might be of some interest to our colleagues in the Senate is, what is the appropriate level of engagement, if you will, between someone like Mr. von Spakovsky and the process that was going on at the EAC? Where do you draw that line, in the perspective of the Inspector General?

Mr. CRIDER. The Department of Justice is on several advisory boards by law, and so they do have input into a number of functions that the EAC performs by law. And, therefore, you know, that is what Mr. von Spakovsky was involved with. And, like I said, that is by law.

Mr. DAVIS of Alabama. What about this notion of a, quote, "political compromise agreement." I don't have in front of me the authorizing statute for the EAC, but I suspect, if I looked at it, there would not be any reference to the EAC having the capacity to reach political agreements with the Department of Justice regarding its mission scope.

Does that phrase, "political compromise agreement," trouble you?

Mr. CRIDER. Yes, it does. I think that the Chair of the U.S. Election Assistance Commission did respond appropriately and strongly that he did not make deals. I think that type of language would be very troublesome.

Mr. DAVIS of Alabama. What does it say to you that Mr. von Spakovsky apparently thought it appropriate to make a deal?

Mr. CRIDER. That there needs to be some clarification as to what roles people play, in terms of the advisory boards, and what input they need to have.

Mr. DAVIS of Alabama. Have you provided a copy of your report to the United States Senate, which apparently is considering his nomination to be on the FEC?

Mr. CRIDER. They have received the redacted version.

Mr. DAVIS of Alabama. Okay. Can you explain to me why a redaction was necessary?

Mr. CRIDER. The interviews were not provided as a part of the report, because there is information in there that is covered by the Privacy Act.

Mr. DAVIS of Alabama. Is there anything that you came across in your report that you think might be relevant to Mr. von Spakovsky's fitness to serve on the FEC?

Mr. CRIDER. Not to my knowledge, no, sir.

Mr. DAVIS of Alabama. Would you consider his veracity, or lack of veracity, to be relevant to his fitness to serve?

Mr. CRIDER. That is not for me to decide. That is something that the Senate should decide when they take him up for confirmation. But we have his interview.

Mr. DAVIS of Alabama. Do you remember if there were any credibility disputes or any differences of factual assertions between Mr. von Spakovsky and other individuals that were interviewed?

Mr. CRIDER. No. I am not aware of any.

Mr. DAVIS of Alabama. Okay. Meaning that there weren't any or you just don't remember if there were any?

Mr. CRIDER. I am not aware of any.

Mr. DAVIS of Alabama. Okay. Well, I don't want to take a lot of time, because we are trying to move on to our second panel, but I think you get the thrust of the concerns that I am raising. I think, as Mr. McCarthy pointed out, there is a line, and then there is conduct that falls on the permissible side of the line. What I hear you saying is that Mr. von Spakovsky may well have crossed that line, if these statements are accurate.

And I am just struck again and troubled again by this notion of a political compromise agreement. If the EAC is going to render dispassionate opinions about how the election process is working, I don't know if they can do that by reaching political compromises. It would seem that that is the task of this institution.

And if I understand the boundaries correctly, the EAC's role is to make recommendations, to objectively assemble facts. Then it is up to us to make the political assessment and up to us to forge a political compromise.

Have I got that about right, Madam Chairwoman?

Ms. LOFGREN. The gentleman's time has expired.

Mr. DAVIS of Alabama. Okay. Well, I will take that as meaning I got it right. I yield.

Ms. LOFGREN. That little marimba is on my iPhone. I am using the timer here.

I recognize the ranking member of the full committee, Mr. Ehlers of Michigan, for 5 minutes.

Mr. EHLERS. Thank you very much.

I appreciate you being here, Mr. Crider.

I have just been reading the summary of what you found. Is it typical, when you do enter into a situation like this, that you find this many shortcomings in management and accounting?

Mr. CRIDER. It is unusual to find this many. But you have to remember the EAC is a relatively new organization, and it is time for them to grow up and become a Federal agency like it is supposed to be. We can no longer use the excuse, "We are new."

Yes, we were concerned about the number of deficiencies we identified. And that is one of the reasons why we are going to be meeting with the Executive Director on a monthly basis, to try to monitor what is going on, because it is unusual.

Mr. EHLERS. Yes, I find it appalling, because members of the EAC, by and large, have worked in government before. They know the stringent requirements of government accounting and management and so forth. And even though it is new, I thought there would be a structure set up that would handle these sorts of things and do it properly.

Mr. CRIDER. A significant amount, especially when the EAC was first formed—and this is not a criticism of the individuals—their experience was more at the State level and not at the Federal level. And this is a Federal organization, and we have specific rules and things that we need to follow. And I think that is where some of the issues started to develop, is that they did not really understand how a Federal agency was supposed to operate and what all was involved.

Mr. EHLERS. Okay. I served at the State level too, and I know the Federal requirements are very strict, but, in my case, I found the State requirements almost stricter, because it is a smaller body, reporters are more readily able to understand it, dig into it, and write nasty stories. Maybe that is not true in every State, however.

So thank you. I just appreciate your comments.

And that is all I have. I yield back.

Ms. LOFGREN. The gentleman yields back.

The gentleman from Texas, Mr. Gonzalez, is recognized.

Mr. GONZALEZ. Thank you very much, Madam Chairwoman.

Mr. Crider, let me ask you—and I am only going to spend a couple of seconds on this, because it is of particular concern to us—were the actions taken by Mr. von Spakovsky appropriate or inappropriate?

Mr. CRIDER. That is a judgment call, sir. And I am not necessarily—obviously, Mr. von Spakovsky feels that he was within his rights as a member of the advisory board. The Chair of the EAC pushed back. I don't know if I can make that type of a judgment call.

Mr. GONZALEZ. Because his complaint was both to form and to substance, is my understanding. He complained to the EAC as far as the hiring of the consultant Wang and said, "I don't believe that what we have representing the Republican side"—because, obviously, he saw that there was a Republican or Democratic side—was not sufficient to withstand the aggressive or assertive nature of Wang. So that's the form part: "I don't like how you are constituting your consultants."

And then, secondly, there was discussion about the substance, and that is, "We had a deal. We were going to conform what we had here at DOJ to fit more what you might be doing. But there was, more or less, a deal or a compromise."

It would seem to me, if I was on the Election Assistance Commission, that that is an overreach, that it would be inappropriate, at least from—obviously, I can ask members, the Commissioners and such, but I am just thinking you, in your capacity—have you seen that occur in any other setting?

Mr. CRIDER. The advisory boards operate differently than maybe what I have seen in other places. And I think that is one of the things that the EAC will have to look at, in terms of what role do the advisory boards play and what influence should they have, if any, and how should that input then be used and generated and recorded so there is transparency.

But the advisory boards—like you said, Mr. von Spakovsky was on the advisory board, and he did have knowledge of the project. And I think his input was actually sought, in a couple of cases, as all the members of the advisory board were.

Mr. GONZALEZ. And I think basically what I am looking at is really the partisan nature of the inquiry, recommendation and interests, as expressed by him.

Let me move to something else here. In a minute, we will have the individual members, and they can probably answer. But, you know, following up on what the ranking member was pointing out, as to whether this is an inordinate amount of deficiencies, if that is how we will refer to them, or areas of concern, but it seems to me that what you have is you have problems with process. Mandated studies and reports have not been submitted on due dates. You have problems with accounting, as far as the management of travel expenses, which may not be anything that is serious or that something untoward is happening—or delay in release of reports and such. But it seems to be that, just about at every level, there is room for improvement.

But first I need to acknowledge something, and that is that the Commission really didn't get a healthy headstart as a result of

Congress's inaction at its very inception. I remember those days, when they didn't have a place to meet, they didn't have staff and so on. So it is not all their fault that they were a little behind, and I acknowledge that.

Where do they go for that guidance to improve in all of these areas that, obviously, you find, not necessarily alarming, but, again, of concern. Because you have said it is a good thing to have oversight, but there is only so much that we are going to be able to do.

What we do is look at reports and such and we say, "Look, you need to improve here, you need to improve there," and then we just kind of let them go at it. But this is a unique, unique commission, with a very specific mission that is different and has never existed before, to be quite honest with you.

So where do they go for their guidance? Where would you suggest, in these areas where, obviously, they need to improve?

Mr. CRIDER. A lot of the things we are talking about here are routine operating policies and procedures and things that every Federal agency has. Every Federal agency has a travel policy. Every Federal agency has a property management policy. Every agency has a contracting policy. So you go to other Federal agencies and get the stuff that they have, and then you tailor it to fit your circumstances.

There are contractors out there that specialize in A-123 work, in terms of establishing documenting and internal controls. So there are plenty of resources out there. We have gone to GAO for some guidance; Office of Management and Budget. So there are places out there that we can go and that we do need to utilize as an agency.

Mr. GONZALEZ. Thank you very much, Mr. Crider.

I yield back.

Ms. LOFGREN. The gentleman yields back.

I will now recognize myself for just a few minutes.

On the report, what role has the general counsel for the agency played in drafting, editing and revising the investigative report of the vote fraud and intimidation and the study of the impact on voter identification?

Mr. CRIDER. None.

Ms. LOFGREN. None.

Mr. CRIDER. They didn't even see it.

Ms. LOFGREN. So this was just completely separate.

Mr. CRIDER. Completely independent and separate from the EAC.

Ms. LOFGREN. Okay. Now, I am concerned that—I mean, there is the report itself, that the EAC, I want to emphasize, asked for. But there is the broader question of organization and efficacy of the agency. It sounds like we almost need, you know, "agency in a box" that you could put in place. I don't know if that is available in the Federal Government.

I am just wondering if you are satisfied with the action plan that the Executive Director prepared in response to your February audit?

Mr. CRIDER. We are pleased with the action plan. And we will be monitoring it, as we go through it. And if additional things come

out of the implementation phase that need to be added to the action plan, we will work the Executive Director to add those to the action plan.

Because there is no such thing as a complete cookbook for the Federal Government. You would think, with the number of new entities being established, that there would be some type of a manual or book to say, "Okay, this is what I need to do," but there is not. At least we haven't found it yet.

But, no, we are pleased with the action plan. And, like I say, we will be monitoring that and adding things as we go through it, if we need to, to try to get to the place where the EAC needs to be.

Ms. LOFGREN. Now, I understand that the GAO is at least considering a review of the agency similar to what they performed at one time for the Legal Services Corporation.

Mr. CRIDER. We have talked to the GAO, and they do not have any plans to come in and do it at this point. But we have talked to them about doing a similar-type review. But they have not indicated their willingness to do it, at this point.

Ms. LOFGREN. Okay. Let me just ask a final question, which is the—maybe it is not possible to answer. But, in your view, does the EAC rely too much on outside individuals and nongovernmental groups to determine its focus, or not? I mean, there is no, really, agency that is like them. But is that part of what has led to the disorganization, do you think?

Mr. CRIDER. I think that is a contributing factor, but I can't give you any evidence to support that other than my own observations. But I do think that the role that the advisory committees and panels play needs to be very clear and understood by everyone, and transparent so that everybody understands what is happening with those advisory panels.

Ms. LOFGREN. So, in your judgment, if we have these advisory panels, there is value, obviously, in getting input, but there ought to be structure and accountability and minutes. And it shouldn't be sending stray e-mails perhaps. But there ought to be action on the part of the advisory group itself or some structure that is transparent for individuals to provide input.

Mr. CRIDER. In my opinion, yes.

Ms. LOFGREN. Okay.

I am not going to use the remainder of my time. I will thank you, Mr. Crider, for being here and for your service to the Government and to the country.

And we may have additional questions for you. Members have up to 5 legislative days to submit additional questions. And we would ask you to respond promptly, if we are able to forward those to you.

We will ask our next panel to come forward.

Mr. CRIDER. Thank you, ma'am.

Ms. LOFGREN. And while they are coming forward, I would ask, without objection, to enter into the record two letters, one from [verifiedvotingfoundation.org](http://verifiedvotingfoundation.org) and the other from Voters Unite, on the subject matter of this hearing for the record.

[The information follows:]



John Gideon and Ellen Theisen  
Co-Directors

[www.VotersUnite.org](http://www.VotersUnite.org)

March 7, 2008

**To the United States House Administration Committee**

The Help America Vote Act of 2002 requires the Election Assistance Commission to:

- ◆ Generate technical guidance on the administration of Federal elections.
- ◆ Research and report on matters that affect the administration of Federal elections.
- ◆ Provide information and guidance with respect to laws, procedures, and technologies affecting the administration of Federal elections.

Specifically Section 202 of the law states:

"The Commission shall serve as a national clearinghouse and resource for the compilation of information and review of procedures with respect to the administration of Federal elections by carrying out the duties described in part 3 (relating to the adoption of voluntary voting system guidelines), including the maintenance of a clearinghouse of information on the experiences of State and local governments in implementing the guidelines and in operating voting systems in general."

On October 21, 2005 the Government Accounting Office released its report, "Elections: Federal Efforts to Improve Security and Reliability of Electronic Voting Systems Are Under Way, but Key Activities Need to be Completed" (GAO-05-956)<sup>1</sup>. In this report the GAO stressed the need for a "clearinghouse for information on problems and leading practices".

The GAO has also stated: "The continued absence of a national clearinghouse for voting system problems means that segments of the election community may continue to acquire and operate their systems without benefit of critical information learned by others regarding the security and reliability of those systems."

The GAO was right. This is exactly what has been happening.

Contrary to HAVA, GAO recommendations, and Congressional inquiries, the EAC has constantly ignored and denied their responsibility to keep local and state election officials apprised of problems with regards to their voting systems.

A recent case is only one example of the EAC's failure to fulfill its HAVA mandate. In the New Jersey primary on February 5, 2008, six counties found a problem with their Sequoia Advantage Direct Recording Electronic (DRE) voting machines. The internal memory did not agree with the internal paper tape record with regards to the party turnout totals. So, for instance, a machine may have registered 159 Democratic ballots and 152 Republican ballots but the turnout total read 157 Democratic ballots and 154 Republican. Officials claimed the vote totals were accurate, but it's difficult to understand how they could have been when the numbers of Democrats and Republican ballots were in question.

<sup>1</sup> <http://www.gao.gov/new.items/d05956.pdf>



Media reports from New Jersey quoted Sequoia Voting Systems as saying they would be informing their customers of the problem and any solutions to the problem. But all Sequoia did was to place a "blog" on their website that says the problem was a poll worker error. According to an article in the Philadelphia Inquirer on 6 March election officials in Montgomery Co PA were surprised to learn of the problem. No one told them to read the "blog".

Meanwhile, though the EAC has taken no action, the Mercer Co. NJ Clerk has asked the county's election director to request that the Attorney General investigate to find the cause of the problem (see attached). Since she never had this problem arise before, she does not believe that poll worker error can be the source. It appears that an investigation may now be carried out.

We notified the EAC that there had been a problem and that we cannot expect Sequoia to inform their customers. We reminded the EAC of their mandate as a clearinghouse and have not received a response.

This is only one of many examples of voting system problems that the EAC has ignored. We have personally informed them of many others, and, in response, the Commission told us that they have no responsibility at all regarding voting systems they did not certify.

One of the Commission's duties under HAVA is to be a clearinghouse of information "in operating voting systems in general." The GAO has underscored the importance of that fact in two reports. Yet the EAC maintains that it is not their responsibility.

In testimony before the Subcommittee on Financial Services and General Government late last month the EAC testified that they don't have the staff to take on the clearinghouse duties. However, the GAO reported in 2007 (GAO-07-576T)<sup>2</sup> that the EAC had spent 25 percent of its 2006 appropriations — \$3.5M — "for research and study and to establish the EAC as a national clearinghouse of election administration information".

These inconsistent facts raise two urgent questions: What did the taxpayers receive for the \$3.5M the EAC spent on a project they now claim they have no staff to support? And why did the EAC spend 25% of its 2006 appropriations developing a project for which they claim they have no responsibility?

Not only is the EAC's denial of their clearinghouse responsibilities a violation of the letter of HAVA, but it is also inconsistent with their 2006 expenditures. More importantly, it is a violation of the spirit of HAVA to help America vote.

Ellen Theisen  
660 Jefferson Ave.  
Port Ludlow, WA 98365  
360-437-9922

John Gideon  
3417 NW Donida Drive  
Bremerton, WA 98312  
360-377-4925

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<sup>2</sup> <http://www.gao.gov/new.items/d07576t.pdf>



**Verified Voting Testimony Submitted for the House Administration Committee EAC Oversight Hearing March 12, 2008**

**Proposed Policy Clarification Regarding States' Use of Remaining HAVA Funds**

The Election Assistance Commission is considering a Policy Clarification issued last month by Commission Chair Rosemary Rodriguez that would reverse an earlier staff recommendation regarding the use of remaining Help America Vote Act (HAVA) funds by states to replace voting systems purchased with previous HAVA funds. Verified Voting and VoteTrustUSA strongly supports this Policy Clarification: such expenditures are a reasonable use of HAVA funds to improve the administration of Federal elections.

The Help America Vote Act of 2002 (HAVA) required States to employ voting systems that would meet new requirements. The new requirements were specified in Title III of the bill, which required, among other provisions, that each and every polling place used in federal elections provide at least one voting system allowing voters with disabilities to vote privately and independently.

HAVA established the Election Assistance Commission (EAC) and directed the Commission to disburse appropriated funds in the form of payments to States to assist them in meeting the requirements of Title III. HAVA granted broad discretion to the States regarding the use of such that remained after the State had met the requirements of Title III. Such funds were to be used by States as they found necessary to improve the administration of Federal elections. From Section 251(b) (2) of Public Law 107-252 (HAVA):<sup>1</sup> [

*"(2) Other activities.--A State may use a requirements payment to carry out other activities to improve the administration of elections for Federal office if the State certifies to the Commission that—*  
*(A) the State has implemented the requirements of title III; or*  
*(B) the amount expended with respect to such other activities does not exceed an amount equal to the minimum payment amount applicable to the State under section 252(c).*

Most states have purchased new equipment to comply with the requirements of Title III, but a number of states are taking a close look at the equipment they initially purchased to comply with Title III, and have determined that improvement to, or even replacement of, this relatively new equipment is necessary. Recent governmental and nongovernmental studies have called into question the reliability and security of much of the voting technology now in use. In response, states from Florida to Tennessee to California are in various stages of moving to replace equipment previously purchased to comply with HAVA, and they wish to use some of their remaining requirements payments to for this purpose.

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<sup>1</sup> The Help America Vote Act of 2002, available at: [http://www.fec.gov/hava/law\\_ext.txt](http://www.fec.gov/hava/law_ext.txt)

two or three cycles at least is outside of their purview.

If a problem is identified with election equipment, software or firmware in one jurisdiction in the country, other jurisdictions using the same equipment could benefit from knowledge of the problem and procedures or actions that could mitigate the potential for malfunction in future elections. Voting equipment manufacturers are reluctant to publicize problems that occur in their equipment and many election officials are similarly reluctant to draw attention to problems that may occur with equipment they have recommended for purchase. The EAC interpretation of their clearinghouse role has allowed them to avoid controversial issues that could reflect badly on voting equipment manufacturers and election officials that have invested their careers in endorsing one type of equipment or another.

More significantly, this is a failure to adequately serve the interests of the American people. The EAC is uniquely positioned to inform election officials in one state of issues that have arisen in another state that uses the same equipment, potentially avoiding the recurrence of problems in subsequent elections.

The Commission has argued that they do not have adequate resources to fulfill a more expansive clearinghouse role, and there is some justification for this claim. We would support remedies that could include additional appropriations for the purpose of maintaining a robust and responsive clearinghouse of information about the operation of voting systems in general. At the very least, Congress should issue a clarification of priorities, and a more inclusive definition of the EAC's clearinghouse responsibilities.

**HAVA's Definition of Voting System and the Use of Funds Made Available After January 1, 2007**

Section 301(b) of HAVA provides a broad and inclusive definition of "voting system"

*(b) Voting System Defined.--In this section, the term "voting system" means--*

*(1) the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used--*

- (A) to define ballots;*
- (B) to cast and count votes;*
- (C) to report or display election results; and*
- (D) to maintain and produce any audit trail information; and*

*(2) the practices and associated documentation used--*

- (A) to identify system components and versions of such components;*
- (B) to test the system during its development and maintenance;*
- (C) to maintain records of system errors and defects;*
- (D) to determine specific system changes to be made to a system after the initial qualification of the system; and*
- (E) to make available any materials to the voter (such as notices, instructions, forms, or paper ballots).*

In the FY08 Omnibus Appropriation Bill, \$115 million was appropriated out of the original HAVA authorization. Section 301(a)(3)(C) states that restricts voting system purchases as follows:

(C) if purchased with funds made available under title II on or after January 1, 2007, meet the voting system standards for disability access (as outlined in this paragraph).

The Commission has apparently interpreted this to mean that the only allowable use of the newly appropriated funds for the purchase of voting equipment is for equipment specifically designed to provide disabled voters with a means of voting privately and independently. However, based on the definition of “voting system” in HAVA, any component of a “voting system” that provides accessibility for disabled voters should be an allowable purchase.

Specifically, if a state chooses to use the newly appropriated funds to purchase an optical scan tabulating device that will serve as a component of a voting system that continues to provide disabled voters with a means of voting privately and independently, there is no reason to prohibit this use of funds.

We appreciate this opportunity to submit testimony for the record of this oversight hearing.

Ms. LOFGREN. Our timer is not working, so I have my trusty—maybe it will be fixed by the time we are through—but I have my trusty iPhone here, and it will go off when the 5 minutes are up.

You all know our procedure. Your full written statements will be part of the record. We ask that your oral testimony consume about 5 minutes, so the members can get to questions.

We know each of you, but I would like to introduce you formally, so that the audience on the webcast and here can know who you are.

First, I would like to introduce Commissioner Rosemary Rodriguez. Commissioner Rodriguez currently serves as Chair of the Election Assistance Commission. She was appointed in 2007 and served as Vice Chair of the Commission during her first term. Prior to her work with the EAC, Ms. Rodriguez was president of the Denver City Council, director of boards and commissions for the mayor's office, and a clerk and recorder for the city, as well as the County of Denver, for 5 years.

We also have Commissioner Caroline Hunter, who currently serves as Vice Chair of the EAC. She has served on the Commission since 2007. And prior to her work with the EAC, Ms. Hunter was deputy director of the White House Office of Public Liaison; executive officer at the U.S. Department of Homeland Security Office of Citizenship and Immigration Services Ombudsman; and deputy counsel at the Republican National Committee, where she provided guidance on election law and the implementation of the Help America Vote Act.

Next, we have Commissioner Gracia Hillman. Commissioner Hillman has served on the Election Assistance Commission since 2003, where she was first Vice Chair in 2004 and then Chair in 2005. Prior to her appointment with the EAC, Ms. Hillman served as president and chief executive officer of World Space Foundation, as well as a senior coordinator for international women's issues at the U.S. State Department. Ms. Hillman also was a former executive director at the League of Women Voters of the United States, the Congressional Black Caucus Foundation, and the National Coalition on Black Voter Participation.

And, finally, we have Commissioner Donetta Davidson. Commissioner Davidson has served on the Election Assistance Commission since 2005, where she served as chair in 2007. Prior to her work with the EAC, Ms. Davidson served as the Arapahoe County clerk and then Colorado Secretary of State, where she was president of the National Association of Secretaries of State and president of the National Association of State Elections Directors. Ms. Davidson also served on the Federal Election Commission Advisory Panel and board of directors of the Help America Vote Foundation.

And we do welcome all of you here today and look forward to your testimony and our opportunity to have a dialogue.

And, let's see, what is the order? Since I introduced Ms. Rodriguez first, let's hear from you, and we will go on in order.

**STATEMENTS OF HON. ROSEMARY RODRIGUEZ, CHAIRWOMAN, ELECTION ASSISTANCE COMMISSION; HON. CAROLINE HUNTER, VICE CHAIR, ELECTION ASSISTANCE COMMISSION; HON. GRACIA HILLMAN, COMMISSIONER, ELECTION ASSISTANCE COMMISSION; HON. DONETTA DAVIDSON, COMMISSIONER, ELECTION ASSISTANCE COMMISSION**

**STATEMENT OF ROSEMARY RODRIGUEZ**

Ms. RODRIGUEZ. Good afternoon, Madam Chair and Ranking Member McCarthy and subcommittee members. Thank you for inviting us to come back today.

We are very pleased the Inspector General's report is available today, because we know that many, many people in Congress and at the EAC and in the general public have been waiting for this report for, it seems like, a very long time. We are very grateful that it is out.

Since our last hearing in your committee, our Inspector General assessed the EAC, and while I cannot say today that the agency is completely reorganized, or even organized, we are taking strenuous steps to improve operations. I appreciate the Chair recognizing our efforts in her opening statement.

We are going to provide the Inspector General with monthly updates on our progress, and I would volunteer to provide those to this committee as well.

Ms. LOFGREN. We would appreciate that.

Ms. RODRIGUEZ. Okay, thank you.

We are drafting regulations to govern FOIA, public meetings, grants, trade secrets and confidential business information, how to request testimony or information from EAC in third-party litigation, Privacy Act procedures, standards of conduct, and EAC's policy of nondiscrimination. We expect to publish those in April.

We are drafting travel policies and procedures. We established an electronic FOIA reading room. We are in the process of hiring a chief operating officer to help with our management shortcomings—admitted management shortcomings.

After our employee cap was removed, we hired additional staff in critical program areas, like the Voting System Certification Division. All senior staff received cross-management training.

We are going to implement the requirements of the Office of Management and Budget's management controls. We are creating an EAC manual to document our governance and accountability structure. And, on Friday, we are going to spend an entire day in planning to improve our operations.

I assure you, however, that all of these efforts to achieve internal improvements will not interfere with our assistance for election officials.

Our priority message this year to election official is to prepare for a huge turnout: Have enough ballots, voting machines and poll workers; adopt a contingency plan.

The Secretary of State for the State of Arizona is here today, Jan Brewer, and she assured us right before we came up here that Arizona is ready.

The EAC has delivered tools and information, and other testimony will go into that in more depth. I am going to keep this very

brief and name three questions that I think we need to be prepared for and that I think you will be interested in.

HAVA says that voting systems purchased with funds appropriated after 2007 must be fully accessible. What systems are considered accessible to individuals with disabilities?

What is the role of the EAC clearinghouse?

And Congress provided us with \$115 million in new funds—thank you—but can States use that money to replace touch-screen equipment?

As Chair of the EAC, I assure you that the EAC will focus on its responsibilities under HAVA. We will fully inform the Congress and the public about our activities.

Someone pointed out that we are a fairly young organization, but that it is really, Congressman Ehlers, no excuse for not being appropriately managed. And we intend to correct that.

Thank you very much.

Ms. LOFGREN. Thank you very much.

Let me turn now to Commissioner Hunter, and invite you to give your testimony.

#### **STATEMENT OF CAROLINE HUNTER**

Ms. HUNTER. Thank you very much. Good afternoon, Chair Lofgren, Ranking Member McCarthy, members of the subcommittee. Thank you for asking us to be with you today.

One of the EAC's most important mandates under the Help America Vote Act is the adoption of the Voluntary Voting System Guidelines. The guidelines provide a set of specifications and requirements against which voting systems can be tested to determine if they provide all the basic functionality, accessibility and security capabilities required of voting systems.

HAVA transferred this responsibility from the FEC to the EAC. The EAC adopted its first version of the VVSG in 2005. And we are now in the midst of adopting the newest version of the VVSG, and we are calling that the next iteration.

HAVA clearly defines the process for adopting these guidelines. The technical guidelines, development committee and NIST provide us with an initial draft. We then adopt a final version. We are doing that currently, under a public comment review.

We have a public comment period that will expire on May 5th of this year. We are holding a variety of different roundtables with different advocacy groups, election officials, voting machine manufacturers and others. And we hope to get as many constructive comments from the public as possible, in making the very serious and difficult decision on which version of the Voluntary Voting System Guidelines to adopt.

The newest version will likely be a complete rewrite of the 2005 guidelines intended to address the next generation of voting systems. They contain new and expanded material in the areas of reliability and quality, usability and accessibility, security and testing.

According to HAVA, as you know, adoption of the guidelines at the State level is voluntary. However, States may formally adopt the WVSG, making these guidelines mandatory in their jurisdictions.

We often get asked what value voluntary guidelines provide. The answer is simple: They provide a base level of conformity testing that election officials can rely on, if they choose to do so. States have the flexibility to apply the parts of the guideline that make sense in their jurisdictions or not to use them at all.

The EAC is also operating the Federal Government's first voting system certification program. And let me address two issues that come up frequently.

One issue is the vendors paying labs directly. The EAC is not authorized to pay the labs. Any funds we collect must be turned over to the Treasury. To allow EAC to do this would require action on the part of Congress. And, as we have stated in the past, if Congress wishes to take this action, we stand ready to assist.

The second issue I would like to mention today is that the Help America Vote Act did not give the EAC authority over voting systems that we have not evaluated. Right now we have approximately six systems within our certification program, but, as of this date, the EAC has not certified any voting system.

So there are no EAC-certified voting systems in use today, and there likely won't be in the 2008 election. Therefore, we don't have any authority over the machines that are not certified by us and that are probably going to be used in this election.

Thank you very much.

Ms. LOFGREN. Thank you very much.

Commissioner Hillman.

#### STATEMENT OF GRACIA HILLMAN

Ms. HILLMAN. Thank you. Good afternoon, Chairwoman Lofgren, Ranking Member McCarthy and members of the committee.

On several occasions in 2007, this committee raised questions about EAC's decision-making process as it pertains to our research and studies. We previously reported that, in May 2006, EAC began managing its large research contracts through GovWorks, which is a business unit of the Department of the Interior. This relationship provides us with Federal contracting expertise that we need.

Additionally, EAC selects from GSA's schedule of pre-competed vendors for our smaller contracts. And every contract is managed by an EAC staff person who has been trained in the management of Federal contracts.

With respect to transparency, Madam Chair, EAC has taken three important steps since mid-2007. Our contractors and consultants continue their work until the final product is accepted by the Commission. We also receive periodic updates from staff and consultants at our public meetings. And draft research products are posted on our Web site.

Additionally, we continue to work with our advisory boards to review their participation in our research, especially on the front end.

But, Madam Chair, those and other steps haven't made a dent in our ability to navigate the complexity of being a Federal Government agency. I know that this committee recognizes the many structural challenges we face, as do Senate Rules and our appropriations committees. And I recognize that EAC must match its commitment to change with tangible action.



Our work is significant and has national impact. We must expedite our efforts to improve the operations of our relatively young, now-adolescent agency. Yet, despite these challenges, EAC has directed its resources to assist State and local election officials.

Within the last year, we have produced best-practice guides to help improve the administration of Federal elections. I will briefly describe two programs which provide this assistance and address specific interests of this committee.

We frequently hear about election day problems caused by human error. Well, who are these humans who make these errors? Madam Chair, they are hard-working, honest people who volunteer to provide poll-worker service in their communities. These workers are America's champions of democracy. They deserve the best training available so they can perform with excellence and accuracy. So, obviously, one urgent need is adequate numbers of highly trained poll workers.

EAC has helped to tackle this challenge. You have before you EAC documents that provide effective and affordable practices for the recruitment, training and retention of poll workers. They are guides that look like this, and one in the notebook. And we ask that the material be submitted for the record.

Ms. LOFGREN. Without objection, it will be accepted into the record.

Ms. HILLMAN. Thank you.

[The information follows beginning on page 124.]

Ms. HILLMAN. Equally challenging for election officials is the effective design of voting materials. Ballot design flaws made front-page news in 2000, in 2006, and again this year during the California presidential primary. To help with this challenge, EAC produced and distributed sample materials and best practices for effective designs.

Ms. HILLMAN. Madam Chair and Members of the Committee, I call your attention to the easels in this room. They hold displays of sample ballot designs for optical scan and direct recording electronic voting systems. These and other materials were produced by EAC after a year of study and field testing. Through these materials, EAC has provided professional expertise at no cost to election officials. We have also saved them time and money by providing the materials in camera ready images and in different languages. Additionally, EAC will hold a ballot design workshop in April, and we are providing information to the History Channel on this and other topics as it produces a series on elections.

Madam Chair, I will close by saying that I have worked for over 30 years to ensure fair and equal access to the franchise. EAC can and must perform a critical role in ensuring access and accuracy despite its limitations under the Help America Vote Act. Having said that, I also know that Congress and the American voters must have confidence in EAC's ability to efficiently and openly serve the public good. EAC's success depends on the continued production of high quality and unbiased information. It depends on transparency and efficiency and it depends on your continued support. I look forward to answering your questions. Thank you.

Ms. LOFGREN. Thank you very much. We would turn now to Commissioner Davidson.

**STATEMENT OF HON. DONETTA DAVIDSON**

Ms. DAVIDSON. Thank you. Good afternoon, Chairwoman Lofgren, Ranking Member McCarthy and Committee. Let me start by saying I am glad the IG report is out and done. It confirms what we felt we all knew. There was no partisan influence. That is why I requested the report and that I had unanimous consent with my commissioners. In the review, you will see that I reached across the aisle and discussed my concerns about voter ID report with another commissioner. Our conversation was shared with third parties for the purpose I don't know. And the information passed along was incorrect. I was concerned about voter ID report. For example, I felt that the statistics were not accurate. I will continue to urge to be transparent in our process across the board. And I will fully support and continue working with all of the commissioners because 2008 is going to be a very busy year.

As the Chair said, due this year to anticipated increase in turnout contingency plans are very important. Increased turnout is a great problem to have. But it means having enough ballots, having enough poll workers and having enough equipment to support the turnout is what we have to have because the record numbers will be there. Secure, accurate and accessible elections are a complex process comprised of many moving parts and many people. Some of those people are involved only once a year. We hear a lot about whether voting systems can be trusted. In fact, any voting system, whether it's a ballot box, whether it is an optical scan system, a touch screen, can be compromised if you have two things, knowledge of that system and access to that system.

I've been an election official my entire career, and one thing never changes, whether voters use paper ballots or a touch screen details matter. It is very important that we make sure that our voting equipment is working properly as it is to have procedures and well-trained people to control access and maintain the equipment properly. That is why the EAC has produced what we like to call quick starts, as I hold up for your attention. And they have been delivered. I'm sure that you have them. We have done these management processes on several areas like polling place and voting centers, managing change in election office, media and public relations, absentee voting and voting by mail, acceptance testing, voting system certification, voting system security, poll workers, ballot preparation, printing and preelection testing, new voting systems and the contingency and disaster planning.

The management material, as we call the quick starts, have been distributed to every election official throughout the Nation. In the very near future, we will have material to serve the elderly and the disability and long-term care facilities. Also, military voters and how to audit the entire election process. Also, our language accessibility program has produced Spanish glossaries of the election terms. Translated a large portion of our EAC Web site took Spanish and also had the registration form in the language. In May, we anticipate the EAC will offer a glossary in five Asian languages, as well as provide the Web site content and the form in those languages. All of the material that the EAC produces to help election officials are absolutely free. And we distribute them to everyone.

As a former election official who watched the formation and the evolution of HAVA very closely, the EAC is providing the type of information and assistance to the officials that we feel that HAVA definitely envisioned. I thank you very much and I look forward to your questions also.

Ms. LOFGREN. Thank you very much, and thanks to all of you for your testimony today.

[The statements of Ms. Rodriguez, Ms. Hunter, Ms. Hillman and Ms. Davidson follow:]



**UNITED STATES ELECTION  
ASSISTANCE COMMISSION**

**TESTIMONY**

**OF**

**HONORABLE ROSEMARY RODRIGUEZ, CHAIR,  
HONORABLE CAROLINE HUNTER, VICE CHAIR,  
HONORABLE DONETTA DAVIDSON, AND  
HONORABLE GRACIA HILLMAN  
U.S. ELECTION ASSISTANCE COMMISSION**

**BEFORE THE**

**HOUSE COMMITTEE ON HOUSE ADMINISTRATION  
SUBCOMMITTEE ON ELECTIONS**

**WEDNESDAY, MARCH 12, 2008**

*S. Election Assistance Commission  
1225 New York Ave., NW – Suite 1100  
Washington, DC 20005*



**Testimony of the U.S. Election Assistance Commission  
before the U.S. House Committee on House Administration  
Subcommittee on Elections  
March 12, 2008**

Good afternoon Chairwoman Lofgren, Ranking Member McCarthy, and Members of the Subcommittee. We are pleased to be here this afternoon on behalf of the U.S. Election Assistance Commission (EAC) to discuss election administration, the challenges that our election process faces to prepare for the upcoming Presidential election, and the role that EAC plays in supporting State and local governments in conducting Federal elections.

## INTRODUCTION

EAC is a bipartisan commission consisting of four members: Rosemary Rodriguez, Chair; Caroline Hunter, Vice Chair; Donetta Davidson, and Gracia Hillman. EAC is an independent Federal agency that guides and assists States in the effective administration of Federal elections. In doing so, EAC has focused on fulfilling its obligations under the Help America Vote Act of 2002 (HAVA) and the National Voter Registration Act of 1993 (NVRA). EAC works to identify potential election administration issues and to provide States with tools that they can use to avoid problems and serve their citizens by holding accurate and reliable elections.

Our country is in the throes of choosing our next President. The primary season has been marked by true challenges to obtain the party nominations, record turn out of voters who are not only engaged in the process but also excited about making their voices heard. During the primary season, a few problems – some old and some new – have arisen. We continue to see challenges in designing ballots that voters can easily understand. We also see that if election jurisdictions underestimate the interest of the voters, the result is a failure to have sufficient numbers of ballots on hand and enough poll workers to assist voters. Provisional balloting will likely also be an issue if election officials are not prepared for the volume of provisional voters.<sup>1</sup> Human error continues to be the source of most of the problems that emerge during the election process, including everything from providing voters with accurate information to the few problems that have occurred with the equipment that is used to tabulate our votes.

EAC has worked to fulfill Congress' mandate to assist States with the administration of election for Federal office. EAC has distributed funding made available under HAVA. Over the past six months, EAC has been busy helping the election officials of our country to ready themselves for the primaries and upcoming Presidential election. EAC has issued a variety of materials aimed at assisting election officials with important issues like ballot design, poll worker recruitment and training, managing effective elections, and selecting voting equipment that fits the needs of each State and its electorate. Below we will discuss these products in detail and discuss current projects of the EAC that will continue to assist States with their election administration. At the same time, EAC has been focusing on its own house to improve what the Subcommittee noted as problems in our management during our previous hearing. We will also discuss some of the

<sup>1</sup> In 2004, 1.9 million people cast a provisional ballot and 1.2 million were counted. Similarly, in the mid-term elections of 2006, nearly 800,000 provisional ballots were cast and approximately 630,000 were counted. The number of provisional ballots cast in the upcoming Presidential election is likely to be similar to the numbers in the 2004 Presidential election.



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actions that have been taken to develop policies and procedures that will aid this agency in assuring that its actions are consistent, appropriate, and transparent.

### **ADMINISTRATIVE CHANGES AT EAC**

At our last hearing before this Subcommittee, we discussed a number of issues related to the administrative procedure and policy in place at EAC. The Subcommittee asked questions relative to EAC's application of certain portions of the Administrative Procedures Act (APA), including the Freedom of Information Act, Government in the Sunshine Act, and portions of the rule making provisions of the APA that apply to EAC. Since our last discussion, EAC has taken steps to develop policies, procedures and processes that will improve the accuracy, consistency and transparency of its actions.

In addition, EAC has received additional guidance from its Inspector General (EAC IG) regarding management processes that need improvement. On September 28, 2007, the EAC IG issued his report concerning compliance with the Federal Information Systems Management Act. EAC was cited for non-compliance with that Act. In addition, the EAC IG recently issued his final report on an Assessment of the U.S. Election Assistance Commission's Program and Financial Operations. As a part of that review, the EAC IG found (1) that the EAC Executive Director, in consultation with various offices and directorates, needs to develop, document and communicate short and long-term strategic plans, performance goals and measurements; (2) as a new agency, two key standards of internal control (Control Environment and Risk Assessment) must be strengthened as a priority; and (3) there is a critical need for establishing policies and procedures in all program areas to document governance and accountability structures and practices in place. Last, due to the significant increase in the EAC's budget authority for fiscal year 2008, EAC is formally required to prepare an annual Performance and Accountability Report for the first time this year, which will include audited financial statements and performance data.

Clearly, EAC has a lot of work to do on shoring up its policies and procedures. Over the past months, EAC has been working to make these changes. First, EAC has established a reading room on its web site in compliance with the Freedom of Information Act. That portion of EAC's web site contains information about EAC policies, guidance and advisories; EAC research projects; EAC's laboratory accreditation program; EAC's testing and certification program; and other EAC reports and the TGDC recommendations. Second, EAC has worked with an outside contractor to develop draft regulations governing requests made under the Freedom of Information Act, EAC's public meetings, EAC grant programs, EAC's handling of trade secrets and confidential business information, how to request testimony or information from EAC in third party litigation, Privacy Act procedures, standards of conduct, and EAC's policy of



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nondiscrimination. EAC expects that these regulations will be published in keeping with their respective requirements in the next month.<sup>2</sup>

Third, EAC voted on January 17, 2008 to adopt a new organizational structure for the agency. This was in response to the findings of the EAC IG's assessment of EAC programs and financial operations. EAC transferred responsibility for functions such as developing EAC's budget request and coordinating EAC's clearinghouse activities to the Executive Director, established the position of Chief Operating Officer to manage EAC's day to day operations, and recognized the need for a Level II Contracting Officer to oversee EAC procurement activities. EAC posted the vacancy announcement for its Chief Operating Officer. Acceptance of applications for that position closed at the end of February. EAC expects to have an incumbent in place by the end of April 2008. Fourth, EAC uses its Board of Advisors and Standards Board to gain input on research projects before they are finally adopted or accepted. EAC boards comment on draft research through an on-line meeting room. Members of the public can see the comments made by board members and can send messages to the boards about the research or the boards' comments on that research.

Despite all of this work, a great deal remains to be accomplished. Policies and procedures for each of EAC's programs must be developed and adopted. Some of these are strictly internal and others impact the public and constituencies that are governed by EAC programs. For example, the recently published laboratory accreditation manual will govern the laboratories that are accredited by EAC.

The new requirement for an audited Performance and Accountability Report is one which will require a great deal of time and effort. EAC must develop needed procedures, prepare an annual performance plan, develop a 5-year strategic plan, and establish internal control procedures. In addition, EAC must prepare financial statements which must be audited. All of this must be accomplished by the end of the current fiscal year.

While EAC is committed to getting these important tasks accomplished, EAC recognizes that this work comes at a time when it must also focus on a contentious race for the White House. As such, EAC will commit resources and personnel, but will also rely upon the expertise and manpower of contractors to develop draft policies, procedures and reports necessary to comply with these requirements and to resolve the findings from the EAC IG's reports.

## **FUNDING IMPROVEMENTS IN ELECTIONS**

There are three major funding programs under which the EAC or its predecessor, the General Services Administration (GSA), distributed money to the States to implement the provisions of

<sup>2</sup> Some of these regulations will be effective immediately upon publication, such as the grant regulations. Others require notice and comment. For example, if EAC establishes a fee schedule for charging persons making FOIA requests, that schedule must be subject to notice and comment.



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HAVA. Those sources are Section 101, Section 102 and Section 251 funds. Those funds could be used to purchase voting equipment; establish provisional voting; provide information to voters; develop and maintain a single list of registered voters for the State; to verify the identity of voter registration applicants; and to improve the administration of elections for Federal office.

In addition, HAVA provided funding through grant programs to States to improve the accessibility of polling places and to educational institutions and organizations to recruit and train college-aged poll workers. The former grant program was distributed and administered by the Department of Health and Human Services. The latter was administered by EAC. In 2007 EAC developed a handbook for student groups and universities to develop their own programs to recruit and train college students as poll workers. Most recently, Congress appropriated \$750,000 for EAC to continue the college poll worker grant program, \$200,000 for grants to conduct student mock elections to engage our young people in the election process, and \$10,000,000 to assist States in developing technologies and processes to collect and report data on our elections. EAC is developing Requests for Applications for each of these grant programs which will be posted shortly to solicit applications by educational institutions, non-profit associations, and States, respectively, for these grant funds.

The following chart details the funds that have been distributed to the various States (under Sections 101, 102, and 251) and the total amount that have been spent by the States as of the last reporting deadlines.

State	Total HAVA Funds Received	Expended <sup>a</sup>	Percentage of Funds Expended	Balance <sup>b</sup>
Alabama	\$40,907,194	\$12,947,460	31.65	\$29,651,133
Alaska	16,596,803	8,006,393	48.24	10,367,582
American Samoa	3,319,361	3,371,840	101.58	0
Arizona	47,600,072	13,740,471	28.87	37,432,722
Arkansas	27,761,472	16,423,388	59.16	14,365,587
California	348,900,661	280,638,373	80.44	78,030,487
Colorado	41,582,761	22,849,704	54.95	22,157,712
Connecticut	32,719,501	3,096,045	9.46	34,936,789
Delaware	16,596,803	7,735,905	46.61	9,374,974
District of Columbia	16,596,803	4,918,303	29.63	12,909,938
Florida	158,531,048	73,304,281	46.24	94,244,933
Georgia	77,304,946	73,140,615	94.61	5,324,478
Guam	3,319,361	1,866,693	56.24	1,452,668
Hawaii	16,596,803	6,191,808	37.31	10,674,907
Idaho	16,596,803	8,741,234	52.67	8,755,567
Illinois	143,529,899	94,511,610	65.85	55,379,615
Indiana	64,297,862	56,297,878	87.56	8,078,612
Iowa	28,739,383	24,232,850	84.32	4,662,077
Kansas	26,409,789	19,275,443	72.99	9,140,051
Kentucky	38,067,744	19,355,672	50.85	20,726,784
Louisiana	47,330,777	34,859,102	73.65	15,287,651
Maine	16,596,803	3,321,221	20.01	13,275,584

*This information is property of the U.S. Election Assistance Commission,  
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(202) 566-3100 (p), (202) 566-3127 (f), www.eac.gov  
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State	Total HAVA Funds Received	Expended <sup>a</sup>	Percentage of Funds Expended	Balance <sup>b</sup>
Maryland	49,752,770	35,713,473	71.78	17,297,799
Massachusetts	60,332,104	5,276,401	8.75	58,995,914
Michigan	94,699,081	67,003,920	70.75	32,459,061
Minnesota	44,492,574	37,688,821	84.71	6,690,119
Mississippi	27,869,654	20,139,498	72.26	9,171,324
Missouri	62,262,661	45,773,331	73.52	20,105,989
Montana	16,596,803	13,264,106	79.92	3,595,165
Nebraska	18,749,549	14,690,310	78.35	5,046,964
Nevada	21,166,810	12,497,029	59.04	9,359,448
New Hampshire	16,596,803	335,689	2.02	16,596,803
New Jersey	84,904,403	55,933,253	65.88	28,519,543
New Mexico	19,279,790	14,123,471	73.26	9,014,194
New York	219,512,672	3,144,170	1.43	224,694,515
North Carolina	74,259,370	49,200,344	66.25	33,102,811
North Dakota	16,596,803	8,367,713	50.42	8,838,732
Ohio	132,045,112	131,682,814	99.73	8,613,372
Oklahoma	32,659,638	2,619,668	8.02	30,039,970
Oregon	33,863,940	13,993,020	41.32	20,230,033
Pennsylvania	134,818,949	124,793,466	92.56	26,155,774
Puerto Rico	5,470,505	922,763	16.87	5,023,981
Rhode Island	16,596,803	14,117,981	85.06	2,478,822
South Carolina <sup>c</sup>	39,241,210	40,362,239	102.86	3,684,755
South Dakota	16,596,803	5,635,898	33.96	11,702,173
Tennessee	54,714,608	21,048,399	38.47	37,009,309
Texas	184,168,065	128,504,360	69.78	64,292,305
Utah	25,284,969	22,708,000	89.81	4,115,977
Vermont	16,596,803	\$2,692,784	16.22	\$15,030,010
Virgin Islands	3,319,361	1,286,780	38.77	2,444,869
Virginia	69,121,820	35,308,415	51.08	37,064,507
Washington	60,093,850	26,081,858	43.40	37,116,984
West Virginia	20,630,100	12,934,539	62.70	8,768,045
Wisconsin	50,066,781	17,948,603	35.85	35,293,708
Wyoming	16,596,803	7,323,706	44.13	10,606,567
<b>Total</b>	<b>2,968,860,616</b>	<b>1,781,943,111</b>	<b>60.02</b>	<b>1,339,389,395</b>

<sup>a</sup> Expenditures include cash disbursements and unliquidated obligations. For Sections 101 and 102, the expenditures are as of December 31, 2006. For Section 251, the expenditures are as of September 31, 2006.

<sup>b</sup> The balance is greater than the difference between funds received and expenditures in most cases because it includes interest earned on funds deposited in State election fund accounts.

<sup>c</sup> South Carolina reported that it overspent its Section 251 funds which resulted in total expenditures exceeding funds received. The balance shown in this table consists of remaining Section 101 and 102 funds.

In FY 2008, Congress appropriated an additional \$115,000,000 in requirements payments (Section 251 funds). The condition of receipt of these funds was not altered, and the funds are therefore available to the States under the original conditions specified in HAVA. The only



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difference according to HAVA is that funding made available after January 1, 2007 that is used to purchase voting equipment must be used to purchase accessible voting systems.

#### **How States Have Used HAVA Funds**

As of September 30, 2006, States had spent 60 percent (\$1,781,943,111) of HAVA funds received (\$2,968,860,616). Also, 60 percent of States had expended more than 50 percent of their HAVA funds. In contrast, five States had spent less than 10 percent of their HAVA funds. These five States, however, account for approximately 27 percent (\$365,263,991) of the unexpended funds (\$1,339,389,395).

Seventy-six percent of the total reported expenditures were used for voting systems and statewide voter registration lists that comply with the requirements of HAVA Sections 301 and 303. Sixteen percent of reported expenditures were used to improve the administration of Federal elections, including expenses related to educating voters; creating a HAVA State plan, training election officials and poll workers; establishing voter hotlines; administering HAVA programs; improving polling place accessibility; establishing administrative complaint procedures; and other improvements. Voter education programs, used primarily to educate voters about new voting systems in the States, accounted for more than 26 percent of expenditures to improve the administration of Federal elections. Eight percent of reported expenditures were classified as uncategorized. Less than one-tenth of one percent of all reported expenditures were used for meeting the Section 302 requirements regarding provisional voting and voter information postings at the polls.

At the time of their last reports, only eight States had filed certifications with EAC that they had met all of the requirements of Title III of HAVA. However, EAC has begun receiving numerous requests from various States to reprogram HAVA funds to replace the voting equipment that these States purchased or upgraded using HAVA funds to meet the requirements of HAVA. Some States have demonstrated that the equipment that they certified as meeting HAVA requirements can no longer be repaired or maintained and thus has exceeded its useful life. Others have made the request to reprogram funds based upon a change in approach by the state legislature or state election board, certifying that the equipment in place is not only HAVA compliant, but also fully functioning, supported and maintainable.

The EAC staff responsible for overseeing and administering the distribution of HAVA funds acted in accordance with applicable cost principles to apply a test to determine if the requested reprogramming of funds is reasonable. In the case of the former scenario, EAC staff granted a reprogramming of funds, and in the case of the latter request, it denied the request. However, despite the denial, the State was able to use HAVA funds to fund its replacement. The State had failed to obtain reimbursement for certain eligible expenses. The reimbursement amount covered the expense of replacing the voting equipment.



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EAC is aware of criticism by members of this subcommittee regarding the Commission's application of the reasonableness test. Chair Rodriguez will offer a policy statement at EAC's upcoming meeting that would revise the staff's previous guidance.

#### **Management and Auditing HAVA Funds**

EAC requires that States, territories and the District of Columbia report their uses of HAVA funds. In the second quarter of each year, States report on their use of both Title I and Title II funds. The Title II report includes: (a) a list of expenditures for each category of activities described in Title III; (b) the number and types of voting equipment obtained with the funds; and (c) an analysis and description of the activities funded to meet HAVA requirements and how such activities conform to the state plan. The Title I report requires States to (1) disclose, in separate reports for Section 101 and 102 funds, the financial activity for the previous calendar year on a Standard Form 269; and (2) provide the same detail on the expenditures that is required for the reports on Title II requirements payments. EAC conducts a detailed review of each report to validate that the expenditure of funds met the requirements of HAVA and was in accordance with plans filed by the State or Territory. The States' Title I and Title II reports are available to the public upon request.

Section 902 of HAVA gives EAC and other HAVA granting agencies the authority to conduct regular audits of HAVA funds. EAC's audit activity is conducted through EAC's Office of the Inspector General (OIG), which has previously consisted of two types of reviews to determine if the States are exercising sufficient controls and using the funds distributed under HAVA for appropriate purposes. The first was an assessment of procedures each State uses to administer and monitor HAVA funds, as well as a review of certain critical elements such as whether the State has maintained sufficient matching funds. Second, OIG has commissioned audits of approximately 10 States each year to fully review the State's internal controls, processes, procedures, and transactions to ensure compliance with Government Auditing Standards.

In addition to EAC's regular audits, HAVA also provides for two other means of extraordinary audit authority – (a) funds are subject at least once during the term of the program to an audit by the Comptroller General; and (b) Section 902(b)(6) of HAVA allows EAC to conduct a "special audit" or "special examination" of the funds that are subject to regular audit under Section 902(b)(1). This special audit authority covers every HAVA program, including funds distributed under Title I, Title II, and programs administered by the Department of Health and Human Services. If EAC determines that a special audit is warranted, by vote of the Commission, EAC will refer the matter to the OIG for review.

Following the issuance of an audit report by the OIG, EAC management is required to resolve any audit findings, including recommendations for changes to policies and procedures and any findings that HAVA funds were misspent. This process requires EAC management to review the audit findings, develop monitoring programs for changes to policy or procedure, and quantify amounts of funding that are to be returned to the State's election fund or to the U.S. Treasury.



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Once an initial decision is made by the Executive Director, the determination is sent to the audited State. The State then has the option of appealing the decision to the Commission. Appeal can entail a paper review of the record of the audit or a combination of paper review and a hearing on the record. The decision of the Commission is final and binding on the State.

The OIG has issued 14 final reports on States that reported some of the largest expenditures of HAVA funds. There are six additional State audits that are in progress.

### **VOTING SYSTEMS**

HAVA requires that all voting systems used in Federal elections meet minimum standards including functions and features that: (1) allow the voter to review his or her selections privately and independently prior to casting a ballot; (2) allow the voter to change his or her selections privately and independently prior to casting a ballot; (3) notify the voter when he or she has made more selections in a single race than are permitted (overvote); (4) provide for the production of a permanent paper record suitable to be used in a manual recount; (5) provide voters with disabilities, including visual disabilities, the same opportunity for access and participation (including privacy and independence) as for other voters; (6) provide accessibility in minority languages for voters with limited English proficiency as required by the Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.); and (7) provide for an error rate in operating the voting system that is no greater than the error rate set forth in Section 3.2.1 of the 2002 Voting System Standards (VSS) adopted by the FEC. However, Congress did not dictate to the States what type, make or model of voting system that they must chose. That selection was left to each State in consideration of their unique needs and circumstances.

HAVA also required that EAC establish a set of voluntary standards against which voting systems could be tested to determine whether the systems operate accurately and reliably. EAC has worked to develop a program of testing and certification that States can rely upon in selecting their voting equipment. The program is rigorous, thorough, and transparent and is based upon three components: the Voluntary Voting System Guidelines (VVSG), an accreditation program for laboratories that are authorized to test voting systems, and a testing and certification program through which registered vendors can submit systems for testing to the VVSG by accredited laboratories.

#### **Voluntary Voting System Guidelines (VVSG)**

One of EAC's most important mandates is the testing, certification, decertification and recertification of voting system hardware and software – a program that does not require participation by the States. Fundamental to implementing this key function is the development of updated voting system guidelines, which prescribe the technical requirements for voting system performance and identify testing protocols to determine how well systems meet these requirements. HAVA dictates that EAC along with its Federal advisory committee, the



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Technical Guidelines Development Committee (TGDC), and the National Institute of Standards and Technology (NIST), work together to develop voluntary testing standards.

The first set of national voting system standards was created in 1990 by the Federal Election Commission (FEC). In 2002, FEC updated the standards, and HAVA mandated that the EAC develop a new iteration of the standards—which would be known as the Voluntary Voting System Guidelines (VMSG)—to address advancements in information and computer technologies. On December 13, 2005, EAC adopted the first iteration of the Voluntary Voting System Standards (VVSG). Before the adoption of the VVSG, the EAC conducted a thorough and transparent public comment process. After conducting an initial review of the draft VMSG, EAC released the two-volume proposed guidelines for a 90-day public comment period; during this period, the EAC received more than 6,000 comments. Each comment was reviewed and considered before final adoption. The agency also held public hearings about the VMSG in New York City, NY, Pasadena, CA, and Denver, CO.

The VMSG was an initial update to the 2002 Voting System Standards focusing on improving the standards for accessibility, usability and security. Since the adoption of the 2005 VVSG, TGDC and NIST have been working to revise that version and to completely review and update the 2002 Voting System Standards that were developed by the FEC. EAC received TGDC's recommendations for the next iteration of the VVSG in September 2007. EAC initially posted the recommendations for a 120-day comment period. That comment period was recently extended to May 5, 2008. During this time, EAC has also hosted meetings of its Board of Advisors and Standards Board so that they could be briefed on, thoroughly review, and comment on the recommendations from TGDC. EAC is currently in the process of conducting round-table reviews of the TGDC's recommendations, including round-tables of voting system manufacturers, testing laboratories, election officials, advocacy groups, and an interdisciplinary round-table with representatives from each of these groups. The next round-tables are scheduled as follows:

- March 19, 2008 – Denver, CO – Voting System Testing Laboratories
- March 27, 2008 – Washington, DC – Accessibility Experts
- April 24, 2008 – Washington, DC – Advocacy Groups
- April 25, 2008 – Washington, DC – Election Officials
- May 5, 2008 – Washington, DC – Interdisciplinary Group

Following the comment period, EAC will consider every comment and the recommendations made by TGDC and adopt a draft of the next iteration of the VVSG, which will then be posted for a second 120-day comment period prior to the adoption of the final document.



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In addition to the work that has been done on the VVSG, NIST is working to develop a uniform set of test methods that can be applied to the testing of voting equipment. Currently, accredited laboratories develop their own test methods to test voting equipment. After the completion of these uniform test methods, every accredited lab will use the same test to determine if a voting system conforms to the VVSG. This is a long and arduous process as test methods must be developed for each type and make of voting system. Work began in 2007 on these methods, but will likely take several years to complete.

### **Testing and Certification and Laboratory Accreditation Programs**

#### **Accreditation of Voting System Testing Laboratories**

HAVA Section 231 requires EAC and NIST to develop a national program for accrediting voting system testing laboratories. The National Voluntary Laboratory Accreditation Program (NVLAP) of NIST screens and evaluates testing laboratories and performs periodic re-evaluation to verify that the labs continue to meet the accreditation criteria. When NIST has determined that a lab is competent to test systems, the NIST director recommends to EAC that a lab be accredited. EAC then makes the determination to accredit the lab. EAC issues an accreditation certificate to approved labs, maintains a register of accredited labs, distributes the information to the public, and posts this information on its website.

EAC has accredited the following four laboratories under the EAC Testing and Certification Program. The accredited labs are:

- o [iBeta Quality Assurance](#)
- o [SysTest Labs, L.L.C.](#)
- o [InfoGard Laboratories, Inc.](#)
- o [Wyle Laboratories](#)

Three other labs have applied for accreditation and are currently being reviewed by NVLAP:

- o Aspect Labs
- o CIBER Labs
- o Atsec Information Security Corporation

EAC has completed development of a program manual for its laboratory accreditation program. The manual outlines the procedures and program requirements for laboratories seeking and maintaining accreditation by the EAC. One point of emphasis of this manual and the laboratory accreditation program is ensuring the independence of EAC-accredited testing laboratories by identifying and prohibiting conflicts of interest. EAC posted this manual for public review and comment and will be accepting comments through April 4, 2008.



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### Voting System Certification

On December 7, 2006, EAC adopted its Voting System Certification Program. The program became effective on January 1, 2007. Since that time, EAC has registered 12 manufacturers to participate in its testing and certification program:

- Unisyn Voting Solutions
- Premier Election Solutions, Inc.
- Dominion Voting Systems Corp.
- Hart InterCivic, Inc.
- Advanced Voting Solutions, Inc.
- MicroVote General Corp.
- Avante International Technology, Inc.
- Election Systems & Software, Inc.
- Sequoia Voting Systems, Inc.
- TruVote International
- Precise Voting LLC
- AutoMark Technical Systems LLC

Manufacturer registration is required prior to a manufacturer submitting a system for testing. Once the manufacturer is registered, it may submit systems for testing to an EAC-accredited testing laboratory along with a test plan for the testing of that system. EAC has received five draft test plans for the testing of voting systems and has approved one of those plans:

- ❖ MicroVote General Corporation, EMS Voting System v.4.0.0. (**APPROVED**)
- ❖ Premier Assure 1.2
- ❖ Dominion Voting Systems, Democracy Suite v.1.0.0.
- ❖ Election System & Software, Unity Voting System v.3.2.0.0
- ❖ Hart InterCivic, Voting Suite v.6.4.

Once systems are tested, reports from the laboratory's assessment are provided to EAC for review and action. The reports are reviewed by EAC technical reviewers. If the report is in order and the system is in conformance with the applicable voting system standards or guidelines, the technical reviewers will recommend that EAC grant the system certification. EAC's Executive Director will make the final decision regarding certification.

Once certified, a system may bear an EAC certification sticker and may be marketed as having obtained EAC certification. The EAC process also allows for assessment of quality control, field monitoring, decertification of voting systems, and enhanced public access to certification information. For more information concerning EAC's Voting System Testing and Certification Program, see the [program manual](#) for this program, which is available on the EAC Web site. Also available on the Web site is a list of registered manufacturers, test plans, systems undergoing testing, and related correspondence.

### ELECTION ADMINISTRATION SUPPORT

HAVA requires EAC to assist States with the administration of Federal elections and establishes EAC as a national clearinghouse of election information. To fulfill this mandate, EAC makes research available on a range of issues including best practices in election administration, hours and places for voting, and election data. This information is presented to the election community



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and to the public through the EAC's website ([www.eac.gov](http://www.eac.gov)) as well as through formal reports on studies and data collections.

### **Management Guidelines**

EAC assists States and local election jurisdictions by providing information about successfully managing all of details surrounding the administration of elections. In 2005, EAC began work on a comprehensive set of management guidelines, collaborating with a group of experienced State and local election officials to provide subject matter expertise and to help develop the guidelines. The project focuses on developing procedures related to the use of voting equipment and procedures for all other aspects of the election administration process. These publications are a companion to the *VVSG* and assist States and local election jurisdictions with the appropriate implementation and management of their voting systems.

Eleven *Quick Start Guides* have been distributed to election officials throughout the nation. These guides covered topics such as introducing a new voting system; ballot preparation; voting system security; poll worker training; voting system certification; acceptance testing; absentee voting and vote by mail; contingency and disaster planning; media and public relations; managing change in an election office; and polling places and vote centers. These guides are available at [www.eac.gov](http://www.eac.gov).

### **Effective Ballot and Polling Place Sign Design**

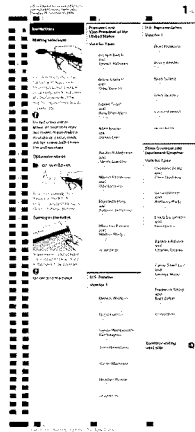
One challenge that continues to confront election officials throughout the country is designing ballots that are understandable, intuitive, user-friendly and affordable. EAC received requests from of its Board of Advisors and election officials throughout the country to provide sample ballots and polling place signs that could be adapted and used by election jurisdictions throughout the country.

EAC engaged Design for Democracy, a non-profit organization affiliated with the American Institute of Graphic Arts (AIGA), to assist with the development of best practices and guidelines for the design of ballots and polling place signs. At its June 14, 2007 public meeting, EAC adopted "Best Practices for Effective Designs in Election Administration." This report includes instructions, guides and suggestions for effective design, as well as sample signs and ballots that can be adapted and used by election administrators. Some examples of those designs follow.





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EAC has distributed this report to election officials and published it on the EAC Web site. Ballot and polling place design templates that can be customized have been distributed to election officials are available upon request. EAC presented this research at a convention of election officials (IACREOT) last summer and plans to make a similar presentation at the April 2008 meeting of Election Center.

### **Poll Worker Recruitment**

A large, trained pool of election workers is critical to the effective and efficient administration of elections. The average age of poll workers continues to rise and the number of returning workers falls each year, so one of the EAC's top priorities is to help election officials recruit, train, and retain poll workers. This effort is part of two projects: one focused on traditional poll workers and one specifically aimed at targeting college students as poll workers.

At its July 19, 2007 public meeting, EAC adopted two manuals or guidebooks that can be used by election administrators to recruit, train and retain poll workers: "Successful Practices for Poll Worker Recruitment, Training and Retention" and "A Guidebook for Recruiting College Poll Workers." These guidebooks were created to directly assist local election officials with maintaining their poll worker pool, but also provide educational tools for State and local governments about the types of resources necessary to find and keep skilled poll workers. Similarly, it can serve as a reminder to the public at large of the need for volunteers to serve this very important function.



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### **Language Accessibility Program for Voters**

EAC's Language Accessibility Program was developed to ensure the accessibility of voting, registration, polling places, and voting equipment to all voters, including Native American and Alaska Native citizens and voters with limited proficiency in the English language. EAC uses the resources of this agency to provide state and local election officials with the tools that they need to write ballots and election materials in the languages that the voters of this country understand.

EAC has already produced a Spanish Glossary of Key Election Terminology, which translates more than 1,800 terms from Spanish to English and from English to Spanish. This glossary was distributed to election officials throughout the nation, and it continues to be one of the most requested resources produced by the EAC. Also, the EAC is already working on a similar glossary in Chinese, Japanese, Korean, Tagalog, and Vietnamese, which we anticipate will be completed by May 2008.

EAC's two guidebooks about recruiting, training, and retaining poll workers also include information about serving voters with alternative language needs. In addition, the Effective Designs in Elections report provides information about how to design ballots and polling place materials, and it includes polling place signage and sample ballots in several languages.

To ensure the program best meets language accessibility requirements, it draw upon the expertise of working groups comprised of local election officials, advocacy groups, and research and public policy organizations to advise EAC. Future activities the formation of working groups to address the election needs of American Indians and Alaskan natives.

Another initiative to assist election officials in serving voters with alternative language needs is an Election Management Guidelines chapter about language accessibility that will provide strategies to assist these voters through the election process.

The EAC Web site also contains a comprehensive *En Español* section that includes information about registering to vote, contacting local election officials, and resources for military and overseas voters. The National Voter Registration Form is also available in Spanish on the EAC Web site.

Our efforts were recognized in the General Accountability Office report called *Bilingual Voting Assistance: Selection Jurisdictions' Strategies for Identifying Needs and Providing Assistance*. GAO described the activities of the EAC's Language Accessibility Program, and this report will be a valuable resource to election officials as we work together to serve all voters.

### **Future Support for Election Officials and Voters**

EAC has several projects that are due for completion prior to the 2008 Presidential election, and two of these research efforts are focused on getting information to voters. The first is a study of



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Web sites or on-line portals that voters can use to check to see if they are registered to vote and if so where they vote. As a part of its 2005 guidance on statewide databases EAC encouraged States to develop Web-based tools to allow voters to verify their registration. This research effort will follow up by analyzing those sites that are now available and providing successful practices for making those sites user-friendly and secure. The second project focuses on telephone hotlines that are used by local election officials to further assist voters.

In addition to these projects, EAC is conducting a study regarding the benefits and drawbacks involved with the concept of free absentee ballot return. Currently, many voters must place postage on an absentee ballot to return it to the appropriate local election official. The first part of this study has been completed and focused on surveying voters to determine whether they would be more likely to vote absentee if they had the benefit of returning the ballot free of charge. These surveys demonstrated that while people said that they would be more likely to vote if they could return their ballots free of charge, the same people said that they would vote anyway even if the return postage was not free.

EAC has several long term projects that will help election officials with their use of the HAVA-mandated statewide voter registration lists. EAC is working on a study on the use of social security numbers in voter registration. This is one of the required HAVA studies to answer questions related to the use of the last four digits of a person's social security number to verify his or her identity. In addition, EAC is working with the National Academy of Sciences (NAS) to build on EAC's previous guidance on statewide voter registration lists. NAS is conducting a study for EAC on the interoperability of statewide voter registration lists. This study will focus on:

- Technical approaches, processes and safeguards associated with identifying and removing duplicate registrations;
- Technical approaches and procedures for sharing voter registration data across state systems; and
- Security issues that arise when sharing data among states, and technical and procedural approaches for addressing them.

The study is slated to be completed in December 2009. Last, EAC is working with NIST to adopt guidelines for electronic voting to support voting by military and overseas voters. These guidelines are being developed to assist the Department of Defense (DoD) in developing a voting system to serve these voters. EAC has entered into Memoranda of Understanding with both NIST and DoD, Federal Voting Assistance Program, to facilitate this work.

EAC uses the expertise and resources of its Board of Advisors and Standards Board to provide comment on the various research and study efforts conducted by EAC, whether they are voluntary voting system guidelines or research on areas of election administration. The public can view the boards' comments on the EAC Web site in the Virtual Meeting Room. In addition, interested persons can email the board members concerning the various projects and their comments. In addition, minutes of meetings, resolutions, charters, and rosters of membership for each of the boards can be found on EAC's Web site, [www.eac.gov](http://www.eac.gov).



**Testimony of the U.S. Election Assistance Commission  
before the U.S. House Committee on House Administration  
Subcommittee on Elections  
March 12, 2008**

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## **CONCLUSION**

Conducting accurate and reliable elections is key to ensuring public confidence in our electoral system. EAC is here to help States by providing research, tools, and solutions that State and local government resources to help them best serve their voters, and in some cases that election officials cannot afford to develop. The information collected by EAC about how, when, and where we vote will also provide valuable insight to election officials as they work to make improvements at the local level.

EAC faces a busy and difficult year as it works to assist States with the upcoming Presidential election while, at the same time, endeavoring to develop the needed policies and procedures that will help the agency run smoothly and transparently. With Congress' continued support, we will work to assure that election officials have the tools that they need to anticipate problems, find solutions, and improve the Federal election process.

EAC appreciates the opportunity to provide this testimony regarding election administration. If you have any questions, we will be happy to address them.

Ms. LOFGREN. We will now begin our questioning. And I would like to turn first to our colleague, Susan Davis, for any questions she may have for the commissioners.

Mrs. DAVIS of California. Thank you, Madam Chair, and thank you to all of you for being here and for your service. I can tell that this is not easy. And I had asked the inspector general about the pressures that you may be under from vendors, from others. And I wonder if you could talk about that briefly and how you all deal with that.

Ms. RODRIGUEZ. I will start. We have a fairly, I think, helpful expediente policy so that vendors, we don't really have direct conversations from vendors, and therefore they can't really put any kind of pressure on us, which I'm grateful to have that policy in place. I certainly consult people. I have not experienced any kind of undue pressure to vote a certain way or anything, but I do seek input. I think it is a healthy part of our process to get different opinions. I have only been here a year and I have noticed that you can get sort of isolated in Washington, D.C. And so it is helpful.

Whenever I go to a conference or travel, I try to meet, have a brown bag lunch and invite local voting activists in to—when I visited Secretary of State Brewer in Arizona, I had a meeting with about 150 interested Arizonans who wanted to talk about the political process. So I kind of seek that information. And I wonder if any of my colleagues want to chime in.

Ms. HUNTER. Thank you. I agree with my colleague, Commissioner Rodriguez, that it is important to seek input from outside sources, and I think we all strive to do that. To tell you the truth I have been surprised at how little interest that there has been in the workings of the Commission on the part of the public. Our meetings are not terribly well attended, we don't receive a lot of comment in my opinion. So we are sort of forced to seek that kind of input from the public, whether it is through conferences. Each of us does a number of public speaking engagements around the country to various State and local election officials and other groups.

So I think it is extremely important that we hear from outside sources as long as we were aware of the positions from which they come.

Mrs. DAVIS of California. Did you want to comment? I have a few other questions, too.

Ms. HILLMAN. I will just say that there is a different kind of pressure. I personally have never been under any political pressure one way or the other, but this is a different kind of pressure. We operate in a two-year cycle. The election dates are set and we have to be ready to assist for those dates. The public has high expectations. And sometimes they go beyond what we are authorized to do. Plus there is a desperate need and probably a legitimate one for quick fixes. And you can't do quick fixes in an election. So some of that pressure is, it is a different kind of political pressure, but unlike my colleague, I feel it just in reading e-mails and blogs and letters that people write. I know that there is an expectation that the Election Assistance Commission working with its partners is going to fix the problems.

Mrs. DAVIS of California. I wonder, one of the issues that you have to deal with, of course, is how you use some of the surplus HAVA funds. And there has been a question of whether or not those machines that were recertified, if they can't be used, can those dollars be put into other kinds of machines that counties might be taking a look at? How have you been trying to work through that clarification of how those funds can be used?

Ms. HUNTER. Are you asking someone in particular?

Ms. RODRIGUEZ. I can talk about it. The EAC has previously instructed the States that they cannot use remaining HAVA funds to purchase equipment to replace equipment previously purchased with HAVA funds. And we have a request from a State now to do that. And I have placed on the table for consideration by the Commission on March 20th a revision to our policy that would allow it. We have asked GAO to give us an opinion on that by March 19th and they have agreed to provide that. And so we will very shortly have the opportunity for the Commission to—

Mrs. DAVIS of California. Is that for the State of California?

Ms. RODRIGUEZ. It would apply to any State in that situation.

Mrs. DAVIS of California. We are certainly in that position. I think it is about \$78 million left. And much of that equipment, of course, was decertified.

Ms. LOFGREN. The lady's time has expired. The gentleman from California, the Ranking Member McCarthy is recognized for 5 minutes.

Mr. MCCARTHY. Thank you, Madam Chair. I want to thank all the Commissioners for coming in and giving your testimony today. If I could ask Chair Rodriguez, you had brought up the Secretary of State from Arizona here too. Thank you for coming. But in the National Voter Registration Act, it requires the EAC to develop a mail voter registration. I know there are five or six States that are before you now that have requested some changes. Can you tell me where they are in that process and whether you have approved those yet?

Ms. RODRIGUEZ. We have not approved them. We have, let's see, I think we have had them in front of us for some time now.

Mr. MCCARTHY. How long would that be?

Ms. RODRIGUEZ. At least since December of 2007, at least 4 months. The Commission has been wrestling with crafting a policy by which we would accept those changes or make those changes. And we have not—

Mr. MCCARTHY. Are all the States now the same then on this Web site? I mean, are all the voter registration items, every State the same?

Ms. RODRIGUEZ. No, they are not the same. Every State has a State instructions portion, all of the States and the territories.

Mr. MCCARTHY. Then why would we hold up changing these States?

Ms. RODRIGUEZ. Because the EAC, in the transfer of the authority to amend the form from the FEC, we haven't completed that transfer. We have started it. The FEC, as you know, is stagnant at this moment. We have not been able to come up with an interim policy that all four of us can agree on, or at least three of us can agree on. And so Commissioner Hillman has placed each of the

State changes on the agenda again on March 20th for our consideration State by State.

Mr. McCARTHY. I have real concerns with the elections so soon and you having this before you for so long. You had mentioned Secretary of State Jan Brewer. She has written testimony, and I have it, Madam Chair, to present unanimous consent.

Ms. LOFGREN. Without objection, it will be entered in the record. [The statement of Ms. Brewer follows:]



**JAN BREWER  
SECRETARY OF STATE  
STATE OF ARIZONA**

**Testimony of**

**The Honorable Janice K. Brewer  
Arizona Secretary of State  
before the  
U.S. House of Representative Administration Committee**

**March 12, 2008**

Mr. Chairman and members of the Committee, my name is Jan Brewer, and I am the Arizona Secretary of State. Thank you for allowing me to submit written testimony, and to summarize the serious difficulties that the State of Arizona has had in its dealings with the U.S. Election Assistance Commission (EAC) with respect to the Federal Form. By not including simple instructions to potential Arizona voters, the EAC has for the past three years shown a blatant disregard of the clear language of the National Voter Registration Act (NVRA), and worse, has established an inconsistent, contradictory and incoherent overall record on the issue that may have directly resulted in misleading hundreds of Arizona voters to incorrectly fill out their federal registration forms. As you will see, such an inflexible and consistent policy of obstinance by the EAC has been maintained despite legal victory after legal victory by the State of Arizona in defending the proof of citizenship requirements for voter registration.

Clearly, the voters of Arizona feel strongly about proof of citizenship when registering to vote as a basic eligibility requirement that already exists under state and federal law. Arizona voters also clearly want to require such proof, presumably to ensure accuracy of state registration records, and to delete any potential ineligible individual who might otherwise become or stay registered. As has been pointed out previously, many states allow driver licenses to be issued to noncitizens, and it seems to us that verifying of citizenship information, as provided to election officials by the same individual, is absolutely within the parameters of such law.

By way of reminder, we note that on November 2, 2004, over one million Arizona voters passed Proposition 200 into law. One provision of Proposition 200



amended A.R.S. § 16-166(F), to require that voters provide evidence of U.S. citizenship at the time they register to vote. The United States Department of Justice (DOJ) precleared Proposition 200 in accordance with Section 5 of the Voting Rights Act on January 24, 2005. The state voter registration form was revised shortly thereafter and now clearly instructs voters registering for all elections to provide evidence of citizenship.

The EAC matter first arose in 2005 as a result of Arizona's efforts to integrate the new proof of citizenship requirement into the Arizona instructions for the Federal Mail Voter Registration Form (Federal Form). My office had been working cooperatively with the EAC staff for several weeks to amend these instructions to properly instruct Arizona voters using the Federal Form regarding the new Arizona registration requirement.

On March 6, 2006, I received a letter from the EAC concluding that the NVRA "preempts" States from requiring proof of citizenship for registrants using the Federal Form. The EAC overstepped its authority and erroneously interpreted federal law. Moreover, as I have pointed out on numerous occasions to the EAC Commissioners, the EAC is unnecessarily disenfranchising voters using the Federal Form by refusing to properly instruct them regarding Arizona's citizenship requirement under A.R.S. § 16-166(F).

The EAC wrongfully asserted that Arizona was refusing to accept the Federal Form. Allow me to assure you that Arizona uses and accepts the Federal Form and has done so since the inception of the NVRA. The EAC cited case law in its March 6, 2006 letter that simply affirms the undisputed authority of Congress to legislate in the area of elections for federal office. Not surprisingly, the EAC failed to cite any cases or authority for its conclusion that "[n]o state may condition acceptance of the Federal Form upon receipt of additional proof".

The EAC's position is contradicted by the clear language of the NVRA and the court decisions that have interpreted that body of law.

In *Association of Community Organizations for Reform Now v. Miller*, 912 F. Supp. 976, 987 (W.D. Mich. 1995), aff'd 129 F.3d 833 (6th Cir. 1997), the court concluded that "under the NVRA the states are still left the task of determining that an applicant is eligible, and that the registration form as submitted complies with state law." Please note that the court rejected the notion that an applicant must be registered upon providing information—accurate or not—on a Federal Form.

I also note that this Committee issued a report on the NVRA that stated that local officials may continue to confirm an applicant's eligibility, including as to citizenship:

Only the election officials designated and authorized under State law are charged with the responsibility to enroll eligible voters on the list of voters. [NVRA] should not be interpreted in any way to supplant that authority. *The Committee is particularly interested in ensuring that election officials continue to make determinations as to applicant's eligibility, such as citizenship, as are made under current law and practice.*

National Voter Registration Act of 1993: Report 103-9 from the Comm. on House Administration, 103d Congress, 1st Sess., at 8 (emphasis added).

The Federal Election Commission (FEC), in explaining the NVRA, also concluded that an application received by the local voter registration official may be subject to verification procedures that exist under State law. See "Implementing the National Voter Registration Act of 1993: Requirements, Issues, Approaches, and Examples," Federal Election Commission, January 1, 1994, at 1-6. The FEC stated, "although completing a voter registration application may be *simultaneous* with other transactions, such application does not constitute *automatic* registration." *Id.* (Emphasis in original).

The EAC's position also runs counter to the intent of Congress under HAVA, which requires verification of voter registration information. Section 303, for instance, requires States to implement "provisions to ensure that voter registration records in the State are accurate" and to have a "system of file maintenance that makes a reasonable effort to remove registrants who are ineligible to vote." 42 U.S.C. § 15483(a)(2)(B)(4). Section 303 also requires first time registrants by mail to provide proof of identity with their registrations. 42 U.S.C. § 15483(b). In addition, HAVA requires States to verify driver license and social security information provided by registrants to ensure their eligibility to vote under State law. See 42 U.S.C. § 15483(a)(2)(B)(5).

Lastly, I note that the EAC erroneously argues that NVRA and HAVA create a Federal scheme that regulates the manner in which voters prove citizenship to simply checking a box on the form. This assertion is contrary to the clear language in Sections 304 and 305 of HAVA, which leaves it up to the States' discretion to determine the methods of complying with the requirements of HAVA and specifically provides that "nothing in [HAVA] shall be construed to prevent a State from establishing election technology and administration requirements that are more strict than the requirements established under [HAVA] so long as such State requirements are not inconsistent with the Federal requirements under [HAVA]...." Moreover, the EAC's interpretation, if correct, would require the States to accept all information on the Federal Form as true on its face without any mechanism for verification.

The EAC never consulted with the Arizona Secretary of State's Office about its intent to omit instructions in the Federal Form on Arizona's new law. To the contrary, the EAC sent my office proposed Arizona instructions on April 7, 2005,

which included instructions on how to prove citizenship under A.R.S. § 16-166(F), and then reversed itself in its March 6, 2006 letter.

The contradictions by the EAC don't stop there however. Let me point out that not including Arizona specific instructions on the federal form is also contrary to the manner in which the Federal Voting Assistance Program (FVAP) has interpreted the manner in which military overseas voters register to vote using the Federal Post Card Application. In this instance, you have an agency within the Department of Defense, FVAP, which correctly incorporated the proof of citizenship requirement into the Arizona instructions for the Federal Post Card Application. See 2006-07 Voting Assistance Guide, published by the Department of Defense Federal Voting Assistance Program, at p. 53.

Ironically, the EAC advises military and overseas voters on page one of its own instructions to the Federal Form not to use that form to register to vote, but instead to use the Federal Post Card Application. See [www.eac.gov/docs/NVRA%20FINAL%20UPDATE%2003-13-06.pdf](http://www.eac.gov/docs/NVRA%20FINAL%20UPDATE%2003-13-06.pdf).

Not surprisingly, shortly after I received the March 6, 2006 letter from the EAC, a lawsuit was filed in federal district court in Arizona challenging the new proof of citizenship law on several grounds, including a NVRA preemption argument that cited the EAC's letter as authority on the matter. See *Gonzalez v. State of Arizona*, No. CV 06-1268-PHX-ROS.

To date, the court has consistently held that the NVRA language regarding the Federal Form does not preempt Arizona's requirement that individuals present proof of citizenship at the time they attempt to register using that form. See *Gonzalez*, Order dated June 19, 2006. The court found that:

Determining whether an individual is a United States citizen is of paramount importance when determining his or her eligibility to vote. In fact, the NVRA repeatedly mentions that its purpose and goal is to increase registration of "eligible citizens." 42 U.S.C. § 1973gg(b)(1)-(2). Providing proof of citizenship undoubtedly assists Arizona in assessing the eligibility of applicants. Arizona's proof of citizenship requirement does not conflict with the plain language of the NVRA.

Order at p. 9.

On April 20, 2007, the Ninth Circuit Court of Appeals affirmed the district court's ruling on the NVRA preemption issue and held that the legal challenge to preempt Arizona's proof of citizenship requirement was "not likely to succeed". *Gonzalez v. State of Arizona*, No. 06-16521 (9th Cir. 2007). On August 28, 2007, the district granted summary judgment in favor of the State of Arizona on the proof of citizenship issue holding that **the NVRA does not prohibit the State of**

**Arizona from requiring evidence of citizenship at the time of registration.**  
*See Gonzalez*, No. CV 06-1268-PHX-ROS, Order dated August 28, 2007.

In the end, we have several court rulings and numerous pleas by my office asking the EAC to follow the law and properly instruct Arizona voters using the Federal Form. Still, the Commission refuses to respect these court rulings and continues to unnecessarily disenfranchise voters in Arizona.

For our part, on October 5, 2006, the Ninth Circuit issued a ruling that temporarily froze Arizona's requirement that voters show proof of citizenship when registering to vote, and the State of Arizona fully complied with this decision. By October 18, 2006, (just two weeks later) that legal decision was vacated by the U.S. Supreme Court and the proof of citizenship requirements were allowed to continue forward. *Purcell v. Gonzalez*, 549 U.S. \_\_\_, 127 S.Ct. 5 (2006).

Again, during that two week period in between court rulings, the State of Arizona fully abided by the injunction. That is to say, the courts told us to temporarily stop rejecting voter registrations on the basis of proof of citizenship, and we did. Thus, any voter registration forms the county recorders received during that time period that were without proof of citizenship, were fully processed and added to the voter rolls. After the U.S. Supreme Court ruling, we returned to rejecting those voter registration forms that did not have sufficient proof of citizenship as required by Arizona law.

It is therefore surprising that the EAC continues to disregard the most recent court rulings and dig its heels in, thereby leaving Arizona little choice but to consider bringing its own lawsuit against the EAC to compel the EAC to abide by the court decision that have already spoke on this issue. It is disappointing that a State has to sue the federal government to force the government to follow the law.

As it stands now, by not properly informing Arizona voters, the EAC is accomplishing nothing. To be sure, a registrant's form will continue to be rejected (per Arizona law) if that person utilizes the Federal Form and doesn't provide sufficient proof of citizenship. Thus, the EAC decision to not include instructions on the form has by no means created a loophole around the Arizona law. Rather, it simply serves as a way to disenfranchise voters from participating in the election process. It should be noted that the EAC has not challenged Arizona's rejection of state forms that are not accompanied by evidence of U.S. citizenship. It is also not surprising that the U.S. Department of Justice has chosen not to defend the EAC's erroneous interpretation of the NVRA.

What is most disappointing about the EAC's decision to misinform Arizona voters is that a significant number of Arizona citizens have had their Federal Forms rejected in Arizona for failing to provide evidence of U.S. Citizenship. Some may even have had their forms rejected on (or shortly before) the registration

deadline, thereby disenfranchising those individuals from voting in the upcoming election. Had such individuals been informed about the requirement, the numbers would likely be substantially smaller.

Members of the Committee, I have no doubt that there will be an increase in voter registrations in Arizona as a result of the high interest in the 2008 U.S. Presidential election, and more voters will use the Federal Form as a result of national voter registration efforts that typically coincide with presidential elections. Ultimately, this will mean an increased amount of rejections for those voters who are not properly instructed on the Federal Form about Arizona's proof of citizenship requirement.

We are aware of over 200 registrations that have been rejected in Maricopa and Pima Counties alone due to lack of citizenship proof. I'm sure the Committee members would agree that one voter disenfranchised as a result of the government's actions is one too many.

Over the past two years, the EAC has taken several votes on this issue and has failed to reach a consensus on the matter. Sadly, the EAC did not even begin to address the issue until over a year after sending its initial letter to me, and in the intervening time, continued to misinform countless numbers of Arizona voters using the Federal Form. After disenfranchising hundreds of voters in Arizona, the EAC decided last year to hold a hearing questioning their own authority to act without specific rules, over the Federal Form. It seems to me the first order of business should have been to fully rescind the letter sent to me on March 6, 2006, until the EAC determined the scope of its own authority.

Madame Chairman, Congress made very clear when it enacted HAVA that it did not want the EAC to make rules, and to the extent it transferred the FEC's rule-making authority over the Federal Form to the EAC, it did so on a very limited basis as determined by the federal district court and the Ninth Circuit. I urge this Committee to carefully consider clarifying and limiting the scope the EAC's authority over the Federal Form. What constitutes a voter registration qualification is a determination that should, and must be left to the States.

In closing, I feel strongly that the Election Assistance Commission is certainly not "assisting" Arizona voters by continuing a policy of withholding critical information from them. Rather, it is maintaining a built in policy of misleading Arizona by deliberately failing to properly instruct them on how to register to vote. Such a policy should not be allowed to continue.

Thank you.

Mr. MCCARTHY. That the EAC is unnecessarily disenfranchising voters using the Federal form by refusing to properly instruct them regarding State citizenship requirements. And I am wondering in the concept of the tenth amendment and States rights if they committed this to you, and you have had it before you a long time, is that the holdup, that you don't agree with what the State wants to do, or I don't quite understand.

Ms. RODRIGUEZ. The EAC's position on the Arizona citizenship, the documentary proof of citizenship requirement, is that there is—it simply isn't—there is no place for it in the State instructions on the Federal form because there is reasons for that position. The Congress itself grappled with whether or not to require that when they wrote the—

Mr. MCCARTHY. But the State has passed a law is my understanding and they put this in 2 years ago. I understand you had studied this, but if the State and States rights has passed something to put on their voter registration and their mail and they have requested you to do it, I don't understand the holdup.

Ms. RODRIGUEZ. I see your point, and the Commission, there are a couple of members of the Commission who share your opinion, your position. However, it is not the consensus of the Commission that we should amend that.

Mr. MCCARTHY. So then you agree with the Secretary of State that you are disenfranchising them by not acting, you are withholding their ability to change?

Ms. RODRIGUEZ. In my opinion, the State of Arizona is disenfranchising their own voters.

Mr. MCCARTHY. How is that?

Ms. RODRIGUEZ. By requiring this documentary proof of citizenship.

Mr. MCCARTHY. So you would say because you disagree with what the voters of Arizona have voted and asked for, you will not move it even though the States asked and the voters have asked for it because you personally disagree with it?

Ms. RODRIGUEZ. No, I would not agree with what you just said.

Mr. MCCARTHY. Then I apologize, but that is the way I was understanding the last thing that you just said, that the State was disenfranchising an elected official that the State has voted for this, asked for this, moved it on 2 years ago for you, and I am just understanding why we haven't moved it forward?

Ms. RODRIGUEZ. Well, it is still in the courts being argued. I am not the only person who has this opinion. I mean, this issue is being—is scheduled for trial. It is going to be heard on the merits. And when it is resolved, the Commission will—

Mr. MCCARTHY. So you want to wait until the trial is over to make a decision by the EAC?

Ms. LOFGREN. The gentleman's time has expired.

Mr. MCCARTHY. If I can just have an answer to that question I will be done.

Ms. RODRIGUEZ. Yes, I would like a court to interpret the appropriateness of that on the NVRA form. Yes, I want to know what a court would say.

Mr. MCCARTHY. Madam Chair, I find a real concern with these answers. And I may request a minority hearing just based upon

this, nothing to do with you, Madam Chair, but just to get further beyond—

Ms. LOFGREN. Maybe if we don't have votes we can have a second round. The gentleman from Alabama is recognized.

Mr. DAVIS of Alabama. Thank you, Madam Chairwoman. I think all the Commissioners were present when I was questioning the Inspector General, so you know I have an interest in Mr. von Spakovsky, because he is a figure of some controversy right now. And there is a question as to whether he is the appropriate person to continue to serve or to serve on the FEC.

Let me go to you Ms. Hillman, if I can, because you are referenced in one of these e-mails. Have you read the inspector general's report? I am assuming that you have read it.

Ms. HILLMAN. I have seen the same redacted version that I believe you have.

Mr. DAVIS of Alabama. I am looking at page 16. And I don't want to waste time with a lot of questions about it, but I was struck by one e-mail exchange between Mr. von Spakovsky and Mr. DeGregorio. And at some point, Mr. von Spakovsky says the fact that you, Ms. Hillman, does not want to do this because she does not want to anger her friends at the League of Women Voters is no need for you, Mr. DeGregorio, to be railroaded into this. What is your professional response to Mr. von Spakovsky's characterizations here?

Ms. HILLMAN. Well, first let me tell you, I did not know until this report came out that that e-mail exchange happened to my colleague's credit. But Mr. von Spakovsky is entitled to his opinion, but the facts are not correct.

Mr. DAVIS of Alabama. And tell me what is incorrect about Mr. von Spakovsky's version of the facts?

Ms. HILLMAN. There was no conversation that I had with the League of Women Voters about the release, or not release of the report or what the report would say. And as Mr. DeGregorio said in his e-mail there was nothing I did to—in fact, if anything, I was trying to shove that report out the door when I found out it had been delayed.

Mr. DAVIS OF ALABAMA. And I certainly don't want to read Mr. von Spakovsky's mind, but I frankly didn't even read him to literally insinuate that you had a communication with the League of Women Voters. I am reading this as a little bit of a dig, frankly, that he is saying that—I guess he could have said liberal dogooders instead of League of Women Voters. Am I out of line in my interpretation?

Ms. HILLMAN. Well, I am sure he said that because I was formerly employed with the League and there are people who would suggest that the League's position on issues is different than theirs.

Mr. DAVIS of Alabama. We were talking, and Mr. McCarthy, I suppose was talking from the other side of the aisle about this question. Obviously, it is not illegitimate for Mr. von Spakovsky to have given some input or for DOJ to have given some input to the EAC. I don't think that itself is problematic. But on the other hand there appears to be a line. And my sense is that Mr. von Spakovsky may have attempted to cross that line with Mr.

DeGregorio. Let me just ask all the Commissioners to give a quick response. Are any of you troubled by Mr. von Spakovsky's efforts to influence Mr. DeGregorio? Ms. Davidson, are you troubled by what you read in this report by Mr. von Spakovsky?

Ms. DAVIDSON. You know, I believe that everybody has a right to an opinion. We get many things, e-mails from individuals that feel that we should be doing something different than what we are and we are trying to follow the law. Everybody has a right to an opinion, but it is our responsibility to stand up and make sure that we take the proper action.

Mr. DAVIS of Alabama. Let me get at it this way because our time is limited, and I know the cell phone is going to go off again in a minute. I think we can all stipulate to what I said. We all agree with the generality that everybody has a right to have an opinion, everybody has a right to insert their opinion. It is up to the Commission to be independent. I am asking a very specific question about Mr. von Spakovsky's role. And I am asking if the Commissioners are troubled by Mr. von Spakovsky's reference, for example, to a political compromise agreement between EAC and DOJ. Do any of the Commissioners present think that it would be appropriate for the EAC to enter a "political compromise agreement" with DOJ? Ms. Rodriguez, do you think that would be appropriate?

Ms. RODRIGUEZ. I don't even know what it is, so I—I don't know what it is. I'm sorry, this is an extraordinary term.

Ms. LOFGREN. Ms. Hunter, does that concept strike you as an appropriate one, the idea of a political compromise, because this is Mr. von Spakovsky's phrase, not mine?

Ms. HUNTER. Certainly a political compromise wouldn't be the proper words to use. I would not have used those words, and I suppose he may wish he had not either. But my read of the report is that this exchange is not about the voter fraud intimidation report, rather it is about conflicting interpretations of a provisional ballot law vis-à-vis an Arizona law and EAC guidance that was put out several years ago that in many people's view was incorrect. And so Mr. von Spakovsky was saying he was willing to change his opinion from the Department of Justice's perspective which was, in some people's view, overly restrictive on when Federal law requires you to give a provisional ballot.

So he is saying I am going to change my position on that, if EAC would please consider changing your position on this. So it was more a legal situation where my interpretation is he didn't want the Federal agencies to have differing views. It was not about the voter fraud intimidation report.

Mr. DAVIS of Alabama. Since I am hearing the cell phone I will close out, but I will just end my last 10 seconds by saying that I think I understand better now why Senator Bayh and why some other people have issues with Mr. von Spakovsky. Because as I understand the role of the Commission, your work and the diligent work that you Commissioners are doing is not enhanced by an overt politicization, it is not enhanced by an attempt at an overt politicization. And I think I agree with Ms. Rodriguez that this notion of a political compromise agreement just doesn't strike me as



being remotely relevant to what you do and what DOJ does. Thank you, Madam Chairwoman.

Ms. LOFGREN. Thank you. The gentleman yields back. I would recognize the gentleman from Texas, Mr. Gonzalez, for 5 minutes.

Mr. GONZALEZ. Thank you very much, Madam Chairwoman. Chairwoman Rodriguez I am going to follow up on what the Ranking Member of the Subcommittee, Mr. McCarthy, was talking about, the Arizona situation. I am trying to get it straight in my mind. There has not been a final legal determination on the merits of the case challenging the citizenship requirement as outlined in Arizona law pursuant to, I guess, Proposition 200. I know the injunctive relief has been dissolved and that issue has probably resolved. But the underlying case itself, is it still pending?

Ms. RODRIGUEZ. Yes, it is still pending.

Mr. GONZALEZ. So it is possible that when this case is finally determined—

Ms. RODRIGUEZ. Commissioner Hunter would like to say something.

Mr. GONZALEZ. Oh, I am sorry.

Ms. HUNTER. I just wanted to make a comment that it is true that there are some claims remaining in the case. However, the District Court recently dismissed on summary judgment many of the claims, including the one that this Arizona law violates the NVRA. That claim was dismissed, so that issue is no longer in the courts.

Mr. GONZALEZ. But there are other—I mean, the summary judgment only addressed certain grounds?

Ms. HUNTER. That's correct.

Mr. GONZALEZ. So they still have a legal challenge, which I am not sure what the basis may be. I am sure those of constitutional dimension. The bottom line is we have pending litigation that could be determined and a judgment rendered in favor of those challenging legitimacy of the law. I think we can agree on that. So what would happen if that comes to pass in the next few months after November?

Arizona is insisting on the citizenship provision, rejects thousands and thousands of individuals that are going to be disenfranchised for all elections up until the time that the court does make its decision. So the court makes a decision in December or whatever; election's over, presidential election and so on. How do you undo that?

Ms. HUNTER. The court could have granted an injunctive relief if they were concerned of such a scenario that you point out. And the court would resolve the injunctive relief. As Secretary of State Brewer has said on numerous occasions in public hearings the minute the injunction was issued she immediately stopped enforcing that law, and the minute the injunction was lifted she resumed enforcing it. Of course, a law is good unless and until it is overturned.

Mr. GONZALEZ. Well let me ask you this, then. You took a time out while there was injunctive relief, and during that period of time, didn't reject any applications or registration forms that didn't comply with the citizenship requirement, would that be correct?

Ms. HUNTER. That is what I have heard the Secretary of State say yes, sir.

Mr. GONZALEZ. So those individuals came in without that requirement. Then when the injunctive relief was dissolved or whatever, we have this other population that is subjected. Wouldn't the prudent thing to do is simply make sure everybody then—it doesn't make sense to me that you are going to have two basic standards; one that came during the injunctive relief and those that will come afterwards. I am just wondering. Now, you could simply say, "We start the process over and everybody that may have registered without the requirement has to reregister or whatever."

But it just seems to me that the prudent thing while you still have a challenge to this law would simply [be] to proceed. Now, I am just—this is going to be resolved I take it. And I am not sure if it is going to be resolved. You all are going to reconsider it. What's the consequence to no action by the Commission? What is the consequence again to an action that would not support what Arizona is attempting to do and Arizona would proceed?

Ms. HUNTER. The consequence, I don't know if anybody else—

Mr. GONZALEZ. No action, first of all.

Ms. HUNTER. What is the consequence on if we don't change the form?

Mr. GONZALEZ. If you don't approve the form as submitted.

Ms. HUNTER. Well, the law is good law unless and until it is overturned. So that is just a clear principle. And I think we have the responsibility to accurately reflect State laws on the Federal form. The United States Constitution protects the right of States to set eligibility requirements.

And the Federal form has a perfect place for that in the State instructions portion of the form. If the EAC were to determine or to delay action on this issue, in my view, we are impermissibly eroding the right of the State to set the eligibility requirements.

Mr. GONZALEZ. Let me ask you, what constitutes a State; people, right?

Ms. HUNTER. Yes.

Mr. GONZALEZ. But you are disenfranchising voters, would you not? While something is still pending and a law is being challenged; What would be the basis and reason for that? Now I understand you can have frivolous lawsuits out there, but once this is taken care of, then you have stare decisis, you have precedent, the issue is dead, it is long gone, it has been decided. But it has not been decided. So why wouldn't you, if you are going to err, why wouldn't you do that on the side of making sure you don't disenfranchise voters?

Because after the fact, when you do disenfranchise you cannot undo it. Those people will not be allowed to vote. And it is still a very, very real possibility that the law would be set aside. I am just saying you all ought to always think in terms of not disenfranchising individuals, especially while you have pending litigation, and I would yield back.

Ms. LOFGREN. Thank you. The gentleman's time has expired. I am going to ask just a few questions, if I could. And just on the subject that has been discussed both by Mr. McCarthy and Judge Gonzalez. As I understand the question really posed by yourself,

Chairman Rodriguez, is that the issue is whether the Federal law really preempts the State's opportunity to do what they are asserting to do by their proposition, which is the very same issue that is before the U.S. Supreme Court in the Indiana case, I think.

As a matter of fact, I have offered an amicus brief with Senator Feinstein suggesting that, in fact, the Federal law does preclude the ability of States to do what Indiana attempted to do, and by extension, also the State of Arizona. And if I am hearing you correctly, correct me if I am wrong, you know reasonable people can differ, and apparently do on the Commission and in the country. The question is is that what has really caused the inability for the Commission to reach a conclusion on this, is the disagreement on how to view that legal question? Is that accurate?

Ms. RODRIGUEZ. That is Madam Chair. And I always thought that the Federal form and the whole NVRA process was to equalize procedures across the country so that any voter who wanted to participate in a Federal election knew what form to use and what to do. And in my opinion the Arizona requirement puts an additional burden on the voter in Arizona.

Ms. LOFGREN. If I could, I share your opinion, but the point I am trying to make is that the Supreme Court itself was trying come to grips with this. It is not a surprise. It is a difficult question that the Commission itself is trying to come to grips with this, and it is not easy to reach agreement in every case. So I think that is what has happened here.

Ms. HILLMAN. Madam Chair, if I might just say, on that point, yes, it is true we have disagreement. And we were proceeding on the premise that we would be reviewing the regulations once transferred to EAC from the FEC. And then came the inability of FEC to take action because it doesn't have a quorum, so we are sort of stuck there. We continue to work this through. But there are two points I would make. It is my understanding that Federal agencies don't, unless there is some absolute emergency, promulgate regulations while a case is going on in court. That, generally speaking, it is prudent to wait until the case is over and the final judgment has been rendered.

Secondly, under Federal law a form cannot be initially rejected if a voter turns it in incomplete. That form must be returned to the voter noting the incompleteness. So if under Arizona they receive a mailing form and they believe that it is within their right to ask for proof of citizenship they must go back to that voter before they can reject the voter's application.

Ms. LOFGREN. Commissioner Davidson, did you want to weigh in on this point?

Ms. DAVIDSON. Could I please. I completely agree with a lot of what has been said. But I think there is one thing that I think that has been brought up to date, is the State rights. And Commissioner Hillman is completely right, they do have to go back to the voter. But as time gets closer to that election is my concern. And then the voters, they don't know what the requirements are. Then there is possibly not time to get back to that voter, and that is the voters that I am very concerned about.

Ms. LOFGREN. Let me turn to another subject, because it really is the gist of the IG report, and really the attention that we gave

to the Commission last year. We had administrative law experts testify before this Subcommittee and the EAC to discuss Federal administrative procedure requirements applicable to the Commission. And they were experts. And they had recommendations for EAC on implementation of various procedural regulations. Has that been helpful, have you been able to adopt some of the recommendations that those experts had made, have we had the training opportunities that were suggested on the Administrative Procedures Act implemented?

Ms. HILLMAN. The answer to your question is yes, and yes. Yes, the suggestions were helpful. We have, in fact, retained consultants. You asked about the use of consultants. We need the expertise to help us cut through the bureaucracy of Federal Government. And we are in the process of having many of those written up for us and staff have been undergoing training, particularly in the issue of managing contracts.

Ms. HILLMAN. Could I add one thing? Because of your meeting also and bringing those individuals in, we also had a hearing, a public hearing and brought in some of those same people to really discuss deeper of about what we needed, and that was very helpful also.

Ms. LOFGREN. That is great feedback to have. Just a last question. I believe that the EAC has created a new chief operating officer position. And I am interested in what are going to be the respective roles of the executive director, the chief operating officer and the general counsel after this person has been hired? And the, I don't know if this is accurate or not, but I received the impression that the general counsel had been undertaking functions that were unusual for a general counsel, broader than a traditional general counsel position.

Will the filling of this new position change the alignment of the general counsel's position and will it be a more standard administrative structure after that.

Ms. RODRIGUEZ. I will take that, Madam Chair. The chief operating officer will report to the executive director. I think the general counsel is very relieved that we are going in this direction so that she doesn't have to double up and help with the budget as she had in the past. She is a statutory officer of the organization. So she will not report to the chief operating officer, she will continue to report to, he or she, whoever it is, shall continue to report to the executive director. But the chief operating officer will then have line reporting or other staff will have line reporting to the chief operating officer.

Ms. LOFGREN. All right. I am going to, before my cell phone goes off again, and hoping that we will get our regular lighting system replaced before our next hearing, we won't have votes for another few minutes, so we do have time. I know Mr. McCarthy had additional questions. I would like to recognize him for another 5 minutes. And we will go until we get called away to vote.

Mr. MCCARTHY. I thank you, Madam Chair, for the kindness of letting us go. Let me touch base a little more on this Arizona issue, because I heard our colleague talk about disenfranchised. But I guess to Commissioner Hunter, it is my understanding, okay, this

law has passed in Arizona, more than two years, so they have changed their voter registration in Arizona already, have they not?

Ms. HUNTER. Yes, sir, they have.

Mr. MCCARTHY. So if I go to your Web site and I pull off that form and I fill it out, I am disenfranchised because I am going to get rejected by the Secretary of State, rightfully so, because of the law they passed. So by doing nothing you are disenfranchising. Am I seeing this wrong?

Ms. HUNTER. Well, you are not seeing it wrong. I think the Secretary of State, I am not sure about this, but I think she takes that form and then tries to ascertain the information from the voter. And so it is not rejected out of hand, but she has to go through an additional step. So it is obviously cumbersome, I would imagine, and it is not useful to provide information that is not accurate.

I think there are other examples of States that are before the Commission now where it might even be more obvious that voters are disenfranchising. One example is that the address for the State of Colorado is inaccurate. And we know that the voter registration deadline in New Jersey is inaccurate. They have changed it from, I believe, it is 30 days to 21 days. And in Rhode Island, persons who are no longer incarcerated, even if they are still serving parole may now register to vote in Rhode Island.

However, if they looked at our form they would not know that and they would think that the old law was still in effect, which would mean that they are not able to register unless they are either not incarcerated or not serving parole. So those examples, in a lot of ways, are clear examples of voters who will not be able to register by virtue of the fact that the EAC has not properly updated the State instructions portion of the form.

Mr. MCCARTHY. That is disturbing to me.

Ms. HUNTER. Yes.

Mr. MCCARTHY. I don't understand what those five that we talked about earlier that you just laid out, the same five, why that takes so long to get forward, and by doing nothing, we are disenfranchising people. When is your next meeting and why couldn't this be moved forward?

Ms. HUNTER. Our next meeting is next Wednesday in Denver, Colorado. And one of my colleagues alluded to the fact, and maybe she wants to address it, that Commissioner Hillman has proposed, I believe it is an up or down vote on each and every State request that is before the Commission. So these issues will be addressed next Wednesday.

Mr. MCCARTHY. So we might be able to move forward even though someone waits 2 years?

Ms. HUNTER. Hopefully.

Mr. MCCARTHY. But I am concerned because—maybe you can give a little better explanation to me about where we are in the court system. If the court system decides this does not have anything to do with the National Voter Registration Act which gives you the power to change, then why can't you move forward with Arizona?

Ms. HUNTER. Well, I don't think there is any reason that we shouldn't. Each from the day the lawsuit was filed—of course, there are many lawsuits that challenge many laws, both Federal and

State all throughout the country. And if one were not to enforce a law just because it has been challenged in a court, that would obviously drastically change the dynamic of our system. So in my view even on the day that the lawsuit was filed that is not relevant with regard to our responsibility. Now, of course, if a court ruled the law unconstitutional, of course, we would immediately remove that from the form.

Mr. MCCARTHY. There is a lot of laws I don't agree with. Most of them speeding laws, but I still abide by them until they are overturned.

Ms. HILLMAN. If I might. For me it is not just about Arizona. The EAC has been criticized for taking actions without having in place proper procedures and policies. And what I have been pushing is that the EAC adopt from some very simple and clear procedures as to how we will consider requests from States for changes to the State instructions portion of the form. We have not been able to come to agreement on it. It is true that probably of the six or seven States that have requests before us Arizona is the, the Arizona request is the one that is the stickler. I requested that we separate those two and say let us continue discussing what the Federal law provides for, what NVRA provides for, what HAVA provides for, where this request fits under current regulations and move the others and we could not.

I am reluctant to do case-by-case regulation, that is as a State request comes in, we vote it up or down. But I am also sensitive to the fact that unfortunately we have lost 3 good months since January trying to work this out, and it is time for us to move forward.

Mr. MCCARTHY. But you have got—well, my concern is you have got Arizona there for 2 years, and what procedures would you have? Because you had four individuals, if two individuals want to say no we don't personally agree with that State, you can hold somebody up this whole time and disenfranchise a lot of voters. I think the procedure would have to be if you can't act then someone has to. If you can't come together and someone has been there 2 years going forward, you are disenfranchising a State, and I don't believe that is fair in the process. I yield back and I appreciate the Chair.

Ms. LOFGREN. The gentleman's time has expired. The gentleman from Texas, Mr. Gonzalez, is recognized.

Mr. GONZALEZ. I guess if you take any decision-making process and knowing that there is someone else making a decision that is subsequent to yours that could truly alter the consequence of your decision, I would think you would be very, very, very, very careful and choose that course of action that wouldn't do—in other words, it is just—yes, there is going to be harm either way. Let's say the court comes and sets it aside; there is going to be harm. Where is there less harm?

And the question then comes: What are you trying to protect? And that is people that are not citizens from voting, and all of us would join you in that endeavor. It's how you go about doing it. What is the proof that you are requiring and so on? You can check off a box, you sign it. And if you are lying about your address, your residency, you are lying about citizenship or so, that could subject

you to some sort of penalty. And then the reality of the situation. What do you have empirically out there that really would indicate that you have that kind of problem on such large scale that you would be willing to implement that right now before it's fully tried in the judicial system? What is this evil. What is this danger and who are you disenfranchising?

I mean, those are really serious questions and where you do greater harm to the body politic and to the electoral system. I would hope that you would look at that. Now, is it fair to Arizona that it has been delayed and that it is being challenged? I mean, we could go on and on. But I think the reality of the situation is, you are going to do a lot greater harm by moving forward before you have some sort of judicial determination.

I want to go on to another topic and something I wanted to cover. My staff indicated here, it says that mandated studies and reports have not been submitted by due dates, reports on registrations by mail, electronic voting, free absentee ballot postage and so on. And I am just assuming what we are talking about is some sort of reports being received by election authorities that had deadlines: Are they tardy, are they late, how late and when do you catch up?

Ms. HILLMAN. Well, Congressman Gonzalez, some of the report due dates were required before the Commission was established. And in a couple of cases the scope of the project was such that we did finally get started on the free or reduced postage for absentee ballots voted. It took us a long time to find the consultants who could work with us on that. On the Social Security issue, the use of the Social Security number, we are having conversations with Social Security about how we wrap our arms around that study, and even Social Security is having some challenges coming to grips with it.

So there are a couple of studies that because of the unique nature of the issue we have been a bit challenged to find the resources we need so that we could move forward. With respect to some of the other studies it is what the inspector general identified earlier. We had staff multi-tasking all over the place. And we realized that we were asking the staff to perform outside their areas of expertise, but we had no choice. We had to hit the ground running. And to a question that was asked earlier, HAVA envisioned that GSA would provide certain administrative support services to EAC, they could not do that. They just structurally did not have the human resource capacity to assist us.

There was no one place we could go. I personally harassed the Office of Personnel Management for over a year to help us to put together our human resources manual. They said that is not their job. And we said we have nowhere else to go. They finally capitulated and worked with us on it, and once we got started we were able to complete the project. I have been astounded how difficult it is to get the information you need. It would be nice to be able to go to an agency, get their document and say let us use this as our document. But then we have to apply it to our unique situation and go through that process.

One thing I have learned my two tours of duty with Federal Government, if you don't know the right question to ask, you will never get the information and you don't know what you don't know until

you hit that brick wall and you say darn, what is this now? So it has been a very interesting experience getting a brand new agency started, particularly since we had such immediate deadlines like the 2004 presidential, the 2006 general and now the 2008 with many, many things to do. So it is true that a couple of the studies are behind date, but we are pushing ahead.

Mr. GONZALEZ. Thank you very much. I yield back.

Ms. LOFGREN. The gentleman yields back. I am just wondering, I don't know if you know the answer to this today, but about the funds provided for covered jurisdictions to meet their requirements under Section 203 of the Voting Rights Act, are funds sufficient to meet those needs of limited English proficient voters in that section? Do we need to address that in terms of our budget here? Anybody who knows the answer or you can get back to me.

Ms. HILLMAN. We will get back to you. We don't have jurisdiction over that. And to my knowledge since I have been on the Commission jurisdictions have not spoken to us directly about the need for more funds. We are assisting in many ways by providing as many materials as we can in different languages so the election officials can just use them right away and not have to do their own work.

Ms. LOFGREN. Has there been consideration of an EAC study on language accessibility throughout the country in addition to those jurisdictions that are subject to the Voting Rights Act?

Ms. HILLMAN. We are working on that. And what we are doing is as we are working on it, we are producing whatever documents we can. And so we haven't yet determined what the final report to Congress should be on that issue, but we are looking at the issue and producing what materials we can and identifying what the challenges are that the officials have.

Ms. LOFGREN. Okay. Yes, Commissioner Davidson.

Ms. DAVIDSON. We have even had one of our staff individuals that has actually attended a conference for the nonspeaking languages that was held in New Mexico, I believe.

Ms. LOFGREN. You mean unwritten language?

Ms. DAVIDSON. You are absolutely correct, the unwritten languages. And so we are interested even in that area of the arena of it, so that we can at least do some best practices or the quick starts and at least get that out as quickly as possible.

Ms. LOFGREN. Well, all those bells and whistles mean that we have votes on the floor of the House. And I would like to thank all the Commissioners for being here today and for your testimony and answering our questions. We may have additional questions which we will send to you if we do and ask that you answer them as promptly as you can. I just will say I was talking about language accessibility.

I can still say this for only one more year, that I was on the Board of Supervisors in Santa Clara County longer than I have been in the House of Representatives, and one of our obligations was to oversee the registrar of voters. And it is chaos, but it is a wonderful responsibility. And one of the things we did when I was in local government was to go beyond what was required of us on language accessibility, because especially in California you have these initiatives. They are so complicated.



And I will never forget a very elderly gentleman came and he spoke to us in English, but with a pretty heavy accent, and he thanked us for making available to him information. He said for the first time I get to vote the way I want instead of the way my son tells me to. So it is very important, and I hope that we can get the results of that study. At this point our hearing is—yes, Ms. Rodriguez.

Ms. RODRIGUEZ. Thank you, Madam Chair. I just wonder if we might supplement the record with a little bit more information about some of the gaps that we left in our responses?

Ms. LOFGREN. That would be absolutely fine. Just get it to the staff. And again, thank you so much for being here. We look forward to additional progress, and this hearing is adjourned.

[Whereupon, at 4:57 p.m., the subcommittee was adjourned.]

[Information follows:]

ROBERT A. BRADY, PENNSYLVANIA  
CHAIRMAN

## Congress of the United States

### House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION

1309 Longworth House Office Building

Washington, D.C. 20515-6157

(202) 225-2061

www.house.gov/cha

VERNON J. EHLEERS, MICHIGAN  
RANKING MEMBER

March 18, 2008

The Honorable Rosemary Rodriguez  
U.S. Election Assistance Commission  
1225 New York Avenue, N.W., Suite 1100  
Washington, D.C. 20005

Dear Chairwoman Rodriguez:

The Committee on House Administration, Subcommittee on Elections, requests that you respond to the following questions, which will be included in the record of the Election Assistance Commission Oversight Hearing held on March 12, 2008. Please provide your answers to the Committee on House Administration by April 12, 2008. I appreciate your prompt response.

1. With the general election less than eight months away, what are the Commission's priorities for the upcoming year?
2. As we continue through the primary season and approach the general election, what are the major challenges the EAC, state and local election officials, and our nation's voters should be mindful of? We have witnessed a number of issues from jurisdictions running out of ballots to machine malfunctions. What is EAC doing to address these challenges?
3. What election administration successes has the EAC witnessed during this wave of primary elections? Are there success stories that the EAC can highlight for the rest of the nation to follow?
4. Does the EAC believe that it should be the Commission's responsibility to serve as a clearinghouse for reports of voting system problems as the GAO recommended in its October 2005 report? What was the result of the \$3.5 million appropriated to the EAC in FY2006 "for research and study and to establish the EAC as a national clearinghouse of election administration information"?

#### Timeline for Developing and Implementing Policies and Procedures

1. On February 28, 2008, the EAC's IG report released a final audit report prepared by the accounting firm Clifton Gunderson. The assessment identified "long-standing and overarching weaknesses related to the Commission operations...that need to be addressed immediately." The IG goes on to say that EAC management has started several

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initiatives to address the 29 issues and recommendations identified in the report. What progress has the EAC management made, to date? Will any of these goals and objectives be accomplished in time for this year's general election?

2. Last year a number of administrative law experts testified before this subcommittee and the EAC to discuss the federal administrative procedure requirements applicable to the Commission. These experts suggested the EAC implement a number of organizational and procedural regulations. What has the EAC accomplished since receiving these recommendations? Have the commissioners and relevant EAC staff pursued any training opportunities to ensure compliance with federal law?
3. How does the EAC intend to develop its annual performance goals and 5-year strategic plan? Who is working on it?
4. What contractors have you retained to develop "draft policies, procedures and reports" as recommended by the IG? Who at the EAC is tasked with working with these contractors and outlining the scope of their duties?

#### **Reporting Structures**

1. The IG audit report released on EAC's program and financial operations generally stated that there is a clear lack of leadership within the EAC, a lack of defined roles, and questioned who is running the Commission. What steps are being taken to address these issues?
2. The IG asserts there is much confusion among EAC staff as to who is in charge at the Commission and suggested EAC clearly define areas of responsibility and develop an effective hierarchy for reporting, especially between the Commissioners and the Executive Director. What is the EAC doing to address this issue?

#### **Submission of Mandated Studies**

1. The IG reported that a number of mandated studies and reports have not been submitted by the due dates set forth in HAVA. What were the reasons for the delay of the reports on registration by mail, electronic voting and free postage for absentee ballots? Does the EAC continue to use outside consultants to draft reports? What sort of editing of these reports takes place and by whom? How is the process managed?
2. What steps are being taken to ensure that the problems with issuing the Election Crimes report are not repeated? Who made the decision to change the title of the report?
3. The Committee was pleased to see that the EAC finished and released the report on Free Postage for absentee ballots. Does the report include any data on whether Americans feel that all voters should have the option of voting by absentee? Were there any groups of people who felt more strongly that all voters should have the option to vote absentee?

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**Budget and Finance Administration**

1. What are the EAC's plans to improve the Office of Finance and Administration and its management of the Commission's internal budget?
2. In reviewing the EAC's financial operations the IG discovered that nearly \$850,000 (7.5% of the \$11.3 million total net budget) of EAC's FY06 budget and approximately \$2.4 million of FY07 salaries and expense funds expired because the funds were not used. Why did the EAC return these funds? What has EAC done to ensure that each fiscal year's funds are used timely and appropriately?
3. In FY08, EAC received nearly \$15.5 million to operate the Commission and support the work of its various programs. Do you believe the EAC has the resources necessary to continue its operations and successfully implement the proposed initiatives to improve policies and procedures at the EAC? What is the percentage of funds allocated to staff salaries/travel/conference expenses?

**Travel**

The Inspector General in his testimony states that the EAC violated certain travel regulations. When did the EAC commit these infractions? Do you have new internal travel policies in place?

**Role of EAC Advisors and Methods of Communication**

1. The IG was not satisfied with the EAC's 2007 communications plan and criticized the EAC for lacking any clear communication strategy. How do you define a successful comprehensive communications strategy? What are the EAC's top communications priorities for 2008? How does the EAC intend to improve the communication process with Congress, state election officials and the public?
2. Who reviews and reports to the Commissioners on the on-line comments received from the EAC's Board of Advisors and Standards Board on proposed research projects?
3. Considerable concern was raised during last August's oversight hearing that the DOJ had inappropriately intervened in editing some of the EAC's public reports. Does the DOJ continue to review and edit the Commission's reports and, if so, under what circumstances? Has the EAC implemented any additional measures in the past 6 months to help ensure that the EAC reports are not influenced by partisan politics?

**Role of General Counsel**

1. The EAC's general counsel has been undertaking functions that may be seen as inappropriate or not normally carried out by general counsels, such as preparing the Commission's budget, reviewing and editing findings of studies prepared by contractors, and serving as the liaison to Congress. Why has the general counsel taken on so many

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responsibilities? Who delegated these responsibilities? What is the reporting structure of the general counsel to the Commissioners and the Executive Director?

2. The EAC has created a new Chief Operating Officer position. What will be the respective roles of the Executive Director, the Chief Operating Officer, and the General Counsel after you have hired the COO?

#### **National Voter Registration Form**

1. Which states have pending updates to their registration forms and how long has each request been pending? Has the EAC made any projections about how many people risk disenfranchisement because of these delays? If so, what are those predictions?
2. What is the status of the Arizona litigation over state instructions on the federal voter registration application? What is the current status of the EAC's dispute with Arizona over Arizona's requested changes? What steps has the EAC taken to ensure that this dispute does not cause the disenfranchisement of Arizona's electorate?

#### **Language Accessibility**

1. Are any requirements funds being used to increase accessibility for limited English proficient voters? If so, what percentage? What specific initiatives are these funds being used for, and where? Are the funds sufficient to help covered jurisdictions meet their requirements under the Section 203 of the Voting Rights Act?
2. Aside from the Glossary of Election Terms, can you describe EAC initiatives in the area of alternative language accessibility?
3. Is the EAC developing guidelines to help election officials conduct better outreach to language minority communities?
4. Will there be an EAC study on alternative language accessibility throughout the country?

#### **Voluntary Voting System Guidelines**

As you know, the Voluntary Voting System Guidelines (VVSG) will be the future standards for voting systems. What will be the EAC's role with the future of our voting systems?

#### **Federal Information Security Management Act and OMB Regulations**

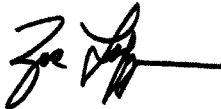
The Inspector General in his evaluation found that the EAC was in non-compliance with the Federal Information Security Management Act and OMB regulations, and recommended the establishment and implementation of procedures for information security and privacy management.

The Honorable Rosemary Rodriguez  
March 18, 2008

1. What is the status of the EAC's efforts to redress this glaring shortcoming?
2. What is the status of the two contracts the EAC has entered into to address these issues?

Thank you and I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Zoe Lofgren", followed by a horizontal line.

Zoe Lofgren  
Chair, Subcommittee on Elections



U. S. ELECTION ASSISTANCE COMMISSION  
OFFICE OF THE EXECUTIVE DIRECTOR  
1225 New York Avenue, NW, Suite 1100  
Washington, DC. 20005

April 11, 2008

The Honorable Zoe Lofgren  
Chair, Subcommittee on Elections  
Committee on House Administration  
1309 Longworth House Office Building  
Washington, DC 20515

Dear Congresswoman Lofgren:

We are pleased to provide you with the U.S. Election Assistance Commission's response to questions for the record submitted by the Subcommittee on Elections, Committee on House Administration. Thank you for your support and guidance as the EAC works to help election officials administer secure, accessible, and accurate elections. We look forward to keeping you informed about the development of our work.

Please do not hesitate to contact me if you need further clarification or information. I can be reached by phone at 202-566-3109 or by email at [TWilkey@eac.gov](mailto:TWilkey@eac.gov).

Sincerely,

A handwritten signature in dark ink, appearing to read "TWilkey", is written over a light blue horizontal line.

Thomas R. Wilkey  
Executive Director

Attachment

cc: Congressman Kevin McCarthy, Ranking Member of the Subcommittee on Elections,  
Committee on House Administration

COMMITTEE ON HOUSE  
ADMINISTRATION, SUBCOMMITTEE ON  
ELECTIONS

OVERSIGHT HEARING  
March 12, 2008

Questions for the Record

for

The Election Assistance Commission

April 11, 2008



RESPONSES TO QUESTIONS FOR THE RECORD SUBMITTED BY  
CHAIRWOMAN ZOE LOFGREN

**1. With the general election less than eight months away, what are the Commission's priorities for the upcoming year?**

*In 2008, election administration management procedures, poll workers, and ballot design are at the forefront of the EAC's mission to provide assistance to election officials to ensure that voters have a successful experience and that the elections are accurate, accessible and secure.*

Election Management Procedures

*The EAC advises election officials to take a meticulous approach to managing elections. It is just as important to make sure voting systems are working properly as it is to have operational procedures in place and well trained people. The EAC has provided election officials with actionable, real-world management materials to improve the election administration process. For example, under our Election Management Program, we have issued materials called Quick Start Management Guides about the following topics:*

- *Polling Places and Vote Centers*
- *Managing Change in an Election*
- *Media and Public Relations*
- *Absentee Voting and Vote by Mail*
- *Acceptance Testing*
- *Voting System Certification*
- *Contingency and Disaster Planning*
- *Voting System Security*
- *Poll Workers*
- *Ballot Preparation*
- *Printing and Pre-Election Testing*
- *Uniformed and Overseas Voters*
- *Developing an Audit Trail*

*These management materials were distributed to more than 6,000 election officials throughout the nation and are available at [www.eac.gov](http://www.eac.gov). Also, the EAC has posted seven draft Election Management Program chapters on [www.eac.gov](http://www.eac.gov) for input from the EAC's Board of Advisors and Standards Board. The material covers the following topics:*

- *Absentee Voting and Vote by Mail*
- *Acceptance Testing*
- *Ballot Building*
- *Contingency Planning and Change Management*
- *Developing an Audit Trail*

- *Polling Place and Vote Centers*
- *Pre-Election and Parallel Testing*
- *Polling Places and Vote Centers*
- *Uniformed and Overseas Voters*

The public can view the drafts as well as the comments submitted by the boards' members in our Virtual Meeting Room at [www.eac.gov](http://www.eac.gov). Some of this material expands upon previously issued Quick Start guides. We anticipate finalizing these draft materials by early summer to ensure that these valuable management tools will be available to election officials well before the general election.

We also have plans to issue chapters on additional election administration topics, including:

- *Serving Voters in Long-term Care Facilities*
- *Conducting a Recount*
- *Canvassing an Election*
- *Language Accessibility*
- *Provisional Ballots*
- *Central Count*

#### Poll Workers

Another top priority is to help election officials recruit, train, and keep good poll workers, as human error continues to be the source of most of the problems that emerge during the election process. To assist election officials, the EAC developed *Successful Practices for Poll Worker Recruitment, Training and Retention; A Guidebook for Recruiting College Poll Workers; and a Compendium of State Poll Worker Requirements*. We also provided the aforementioned Quick Start Management Guides about *Poll Workers* and *Polling Places & Vote Centers*. These materials were created with input from election officials and other experts who have found creative ways to address poll worker recruitment, training, and retention. We are also awarding a total of \$750,000 in grants under the HAVA College Poll Worker program, which encourages college students to serve as poll workers. The application deadline is April 21, 2008, so these grants will be distributed before the 2008 general election.

#### Ballot Design

As the recent Government Accountability Report demonstrated and the Committee has noted, ballot design continues to present a challenge to both voters and election officials. Last summer, the EAC issued *Effective Designs in Federal Elections*, a set of best practices for ballots and information posted in polling places.

The *Effective Designs in Federal Elections* report is quite extensive, covering voter information materials and ballot design practices for several voting systems, including optical scan, full-face direct recording electronic (DRE) and rolling DRE. The report includes sample images and design specifications.

*Perhaps even more useful to election officials is the accompanying image library, containing thousands of camera-ready images in two formats. The report and the image library were distributed to more than 6,000 election officials throughout the nation. The image library provides files that can be customized for a local jurisdiction, and then sent to the printer for production – a service that saves election officials money as well as providing them with voting materials that were created with sound design principles and practices. The image library is not available on the EAC Web site due to security concerns, but the Web site contains instructions for election officials who would like to receive the image library.*

*At our April 20 Public Meeting, the EAC will focus on ballot design. Participants will include election officials who use different kinds of voting technology so we can discuss design principals for a variety of ballots. We will discuss lessons learned, innovative practices, and how ballot design must be integrated into the election administration management system. During the workshop, the EAC will remind election officials about the assistance we provide to ensure voters can successfully participate on Election Day.*

*In addition to our focus on election management procedures, poll workers, and ballot design, the EAC will continue its efforts through the clearinghouse function to provide information to voters about how to register, how to contact their local election officials and how to find the information needed to successfully cast their ballot on Election Day.*

2. **As we continue through the primary season and approach the general election, what are the major challenges the EAC, state and local election officials, and our nation's voters should be mindful of? We have witnessed a number of issues from jurisdictions running out of ballots to machine malfunctions. What is the EAC doing to address these challenges?**

*Election Administrators should prepare for a huge turnout in November. Major challenges related to high turnout include having enough people, voting units, and supplies to serve voters. In addition, when turnout is high, there is very little room for error or the unexpected. That is why we advise election officials to develop comprehensive contingency plans, as we describe in one of our Quick Start Management Guides. We've already seen bad weather in Tennessee and flooding in Ohio disrupt voting, and election officials must be prepared to ensure that voters are not turned away due to unexpected events.*

*Regarding the voting systems, extensive pre-election testing and planning are absolutely necessary to detect and prevent problems before Election Day. Consequently, we have provided election officials with management materials on a variety of activities that should take place well in advance of Election Day. For example, we advise election officials to conduct logic and accuracy*

testing as described in our *Pre-Election and Parallel Testing Quick Start Management Guide*. Election officials should review state laws and administrative procedures regarding the types of logic and accuracy tests required. Other activities we recommend include testing each precinct count optical scanner using the memory card specific to that location on Election Day. Every component of the voting system must be tested before the election, including scanners, voting machines, dials, buttons, electronic poll books, printers, card readers, scanner heads, and the exterior of voting booths. Election officials should also develop an internal checklist as part of their pre-election audit trail. Other preventive management procedures the EAC has recommended to election officials include:

- Require each staff member to date and initial the internal checklist of the pre-election audit trail after completing each specific test
- Make a backup server available for election night tabulation purposes
- Use a diagnostic card for testing each precinct/central count scanner to ensure that the scanner heads are reading properly
- Establish testing procedures to determine the length of time that the voting machines will operate on battery power. A paper trail attachment may lessen the life of a battery
- Check the date and time on each voting machine
- Make sure pre-tested machines display a zero count of votes
- Manage the pre-election testing by implementing chain-of-custody procedures and two-person check and balances throughout the process

The EAC provided resources and information about ballot design and polling place signage in the *Effective Designs in Federal Elections* set of best practices, but we have also provided recommendations about ballot preparation and printing. It is also crucial to understand how ballots will interact with different kinds of voting systems. For instance, it is important to understand how the voting system will tabulate a multi-page ballot. We recommend that several people proof all ballots at each stage of the design and production processes, and immediately conduct a logic and accuracy test when the ballots arrive from the printer. Ballots should be stored in an air-conditioned and humidity controlled environment to prevent the ballot stock from absorbing water. Election officials should also develop a “Plan B” in the event that printed ballots are not delivered on time as part of their contingency plan.

Our election management materials, best practices, and other clearinghouse information stress the importance of advanced planning, training, and contingency planning to ensure everyone is well prepared on Election Day.

3. **What election administration success has the EAC witnessed during this wave of primary elections? Are these success stories that the EAC can highlight for the rest of the nation to follow?**

*We have seen election officials in every corner of the nation apply creative solutions to challenges such as serving uniformed and overseas voters, educating voters, and using new and modern techniques to serve voters. Noteworthy examples include:*

- *Alabama Secretary of State Beth Chapman held a military and overseas voters forum to discuss ways to better serve these voters. Participants included representatives from the military and overseas voters and election officials.*
- *In Minnesota, the Common Sense Election Reform bill was passed, which provides for the automatic update of addresses when voters move. When voters change their addresses with the United States Postal Service, their registration will be automatically updated.*
- *Missouri Secretary of State Robin Carnahan has posted the Two Minute Guide to Voting video on the Secretary's Web site. The video answers some of the most common questions from voters, including how to find a polling place, what kind of identification is required, and polling hours.*
- *California Secretary of State Debra Bowen offers the state's voters with a toll-free hotline about voting information in both English and Spanish.*
- *In Texas, Secretary of State Phil Wilson launched a voter education program called VOTEXAS – You Count. Texas Makes Sure. The initiative's goal is to empower Texas voters with information about their rights and about how, where, and when to vote.*

*EAC Commissioners travel throughout the country speaking to election officials and advocacy groups and they frequently take these opportunities to highlight success stories such as the ones listed above. For example, later this month Commissioner Hillman will testify before the Texas House of Representatives, House Committee on Elections, regarding poll workers. Commissioner Hillman will share some of the innovative approaches taking place to recruit, train, and show appreciation for poll workers. The EAC has highlighted these innovative poll worker programs in our poll worker manuals.*

4. **Does the EAC believe that it should be the Commission's responsibility to serve as a clearinghouse for report of voting system problems as the GAO recommended in its October 2005 report? What was the result of the \$3.5 million appropriated to the EAC in FY2006 "for research and study and to establish the EAC as a national clearinghouse of election administration information?"**

*Public interest in voting systems has been steadily on the rise since 2000. Many organizations and members of the public have taken a very active role in tracking voting reform developments, which is certainly very healthy for our democracy. Many of these individuals provide a great public service through their efforts to distribute information and notify the public about voting system updates.*

*The EAC faces a much higher threshold regarding the distribution of data about voting systems. As a federal government agency, we must first verify that information is accurate – a process which takes time. In addition, the EAC must operate within the framework dictated by HAVA. The law does not give the EAC regulatory authority over states with respect to the voting systems they use, and so we cannot demand information from the states about their voting system experiences. In reference to systems that are not part of our program, including those that were evaluated by the National Association of State Election Directors (NASED), we have neither the means nor the statutory mandate to assert any authority.*

*However, the EAC recognizes the importance of its role as a clearinghouse, as well as the public's interest in voting systems. Even though we do not have the authority to require states to report information regarding studies they conduct about their voting systems, we have asked them to voluntarily share it with us through the EAC's Voting System Reports Clearinghouse. We are currently exploring ways to provide more information to the public about currently fielded voting systems within the parameters of our authority under HAVA. We will certainly keep the Committee updated about our progress in this area.*

*It is also important to note that the EAC cannot conduct a survey or ask for data or information about the same topic from more than nine individuals without complying with the Paperwork Reduction Act. That means if the EAC gathers information from more than nine sources, we have to first go through approximately 120 days of public comment. So we are limited to how quickly we can gather data and make it available to the public in a timely fashion. We must rely upon election officials to voluntarily provide information about any topic, including voting systems.*

*HAVA does give us a Congressional mandate to provide for the voluntary certification of voting system certifications to federal standards. Within the EAC's Voting System Testing and Certification Program, we have the ability to hold manufacturers who participate accountable through decertification and our Quality Monitoring Program. The EAC also has the ability to collect information about the manufacturers that participate. In the Voting Systems Center on the EAC Web site, you will see that we are operating a transparent, thorough program that fully informs the public about our actions, decisions, and updates related to this program. Visitors can find information about the following topics:*

- *Application, registration, and reporting forms*

- *Applications terminated*
- *Correspondence*
- *Accredited laboratories*
- *Certified voting systems*
- *Decertification actions*
- *Denials of Certification*
- *Frequently asked questions*
- *Interpretations*
- *Manufacturers' appeals*
- *Notice of clarifications*
- *Press releases and public meetings*
- *Registered manufacturers*
- *Reports (investigations, manufacturing facility reviews)*
- *Test plans*
- *Test reports*
- *Voting systems applying for certification*
- *Voting system testing and certification manual*

*The EAC will hold manufacturers participating in our program accountable through investigations and decertification, which is described in Chapter 7 of the Testing and Certification Manual.) Under our Quality Monitoring Program we will conduct site reviews, fielded voting system reviews, and will also have an anomaly reporting system. And we will certainly make information available to election officials and the public. Most important, if EAC decertifies a system, we will immediately make that information public.*

*The purpose of the EAC's clearinghouse is to provide the public and election officials with a wide variety of information about election administration, which includes the voluntary voting system guidelines and other information about improving voting systems. However, EAC's clearinghouse role also includes conducting HAVA-mandated research about the voters, those serving in the military and citizens who reside overseas. HAVA also mandates that the EAC collect information from states about the National Voter Registration Act. Twenty-five percent of the 2006 funding was used to conduct research about poll worker recruitment and retention, college poll worker recruitment and retention, voting fraud and voter intimidation, vote count and recount procedures, provisional voting, and voter identification. The results of this research are available in the clearinghouse. Activities also included work to establish a Legal Resources Clearinghouse and costs for issuing related Federal Register notices regarding these activities. The EAC's clearinghouse is a comprehensive resource of information about not only voting systems, but also other data and resources election officials use to improve election administration and better serve voters. Congress has never funded Section 271 of HAVA, which would specifically fund research into the development of voting system improvements and advances.*

*The many components of the clearinghouse are available on the EAC Web site, which has been redesigned and reorganized to provide clearinghouse materials to a variety of audiences. Visitors can now find information in the Election Official Center, the Voter Information Center, the Voting System Center, and under Research, Resources, and Reports.*

#### **Timeline for Developing and Implementing Policies and Procedures**

- 1. On February 28, 2008, the EAC's IG report released a final audit report prepared by the accounting firm Clifton Gunderson. The assessment identified "long-standing and overarching weaknesses related to the Commission operations...that need to be addressed immediately." The IG goes on to say that EAC management has stated several initiatives to address the 29 issues and recommendations identified in the report. What progress has the EAC management made, to date? Will any of these goals and objectives be accomplished in time for this year's general election?**

*The status as of March 31, 2008, regarding EAC implementation of the 29 recommendations is presented in Attachment 1. Of the major items addressed by the 29 recommendations, EAC plans to complete the following tasks by November 2008:*

- *Draft a strategic plan*
- *Contract for the development of a performance plan for fiscal year 2009, preparation of EAC administrative and program policies and procedures, and the identification of necessary internal control techniques*
- *Revise the EAC organizational structure*
- *Define the roles and responsibilities of the Commissioners and the Executive Director*
- *Assess (by the Office of Personnel Management) key EAC positions and complete necessary staffing of all EAC divisions*
- *Finalize the draft Laboratory Accreditation Program Manual*
- *Hire staff with Federal budgeting experience*

*After we responded to the Clifton-Gunderson report, the Office of Management and Budget informed us in February 2008 that EAC must prepare a performance and accountability report (PAR), including audited financial statements. EAC is subject to this requirement because its budget authority for fiscal year 2008 exceeds \$25 million due to the newly appropriated \$115 in requirements payments and the \$10 million in election data collection grants. Consequently, the EAC was required to complete an interagency agreement with the General Services Administration for preparation of EAC financial statements; reassign staff initially targeted to produce the performance plan to prepare the EAC performance and accountability report; contact for an audit of the financial statements; and contract for development of the EAC performance plan and for*



*development of internal control techniques. As a result, our original target date for completion of the EAC policies and procedures was changed from September 30 to December 31, 2008.*

- 2. Last year a number of administrative law experts testified before this subcommittee and the EAC to discuss the federal administrative procedure requirements applicable to the Commission. These experts suggested the EAC implement a number of organizational and procedural regulations. What has the EAC accomplished since receiving these recommendations? Have the commissioners and relevant EAC staff pursued any training opportunities to ensure compliance with federal law?**

*At a September 2007 public meeting, the EAC received testimony from experts in the administrative and regulatory responsibilities of federal agencies. Following this discussion, the EAC has worked with a contractor to address these issues, and we have received a draft of administrative regulations from our contractor in the following areas: (1) the Privacy Act, (2) Government in the Sunshine Act, (3) the Freedom of Information Act, (4) the Federal Advisory Committee Act, (5) nondiscrimination, (6) standards of conduct, (7) trade secrets, and (8) grants administration. We are reviewing the draft regulations now and will make edits as necessary. After the drafts are finalized by EAC staff, we will present to the Commissioners for formal adoption and promulgate them in accordance with the Administrative Procedures Act and other authorizing statutes.*

*In addition, we are preparing to issue a request for proposals through GovWorks to contract with a company that will assist the EAC in navigating the rulemaking process for both the administrative regulations and transferring the National Voter Registration Act regulations. The new contract will include advising us as to the regulatory processes we will need to engage to accomplish our administrative regulatory goals. We have also placed an order for treatises on administrative law and rulemaking.*

*The director of human resources is currently reviewing training opportunities with the Office of Personnel Management and other sources in a number of these areas as well as other subject areas that are critical to EAC's mission.*

- 3. How does the EAC intend to develop its annual performance goals and 5-year strategic plan? Who is working on it?**

*EAC will develop its five-year strategic plan in-house and contract out for completion of the performance plan for Fiscal Year 2009. In regard to the strategic plan, each EAC division director prepared a strategic plan for their individual division. Based principally on the input from the divisions, EAC is developing a comprehensive strategic plan to cover all programs and all operations of EAC. EAC has the assistance of a person with more than 30 years of experience who will provide assistance to complete the EAC performance plan,*

*and assist with preparing EAC's policies and procedures and identifying internal control techniques. The Statement for Work has been written, and a contract is targeted for award by May 30, 2008.*

4. **What contractors have you retained to develop "draft policies, procedures and reports" as recommended by the IG? Who at the EAC is tasked with working with these contractors and outlining the scope of their duties?**

*As noted in the answer to question three, EAC has not yet selected a contractor to prepare EAC's policies and procedures. After the contract is awarded, it will be managed by EAC's soon-to-be-selected chief operating officer, a position we anticipate being filled this month. The contractors' scope of duties will be delineated in the statement of work to be included in the request for proposals for potential contractors.*

#### **Reporting Structures**

1. **The IG audit report released on EAC's program and financial operations generally stated that there is a clear lack of leadership within the EAC, a lack of defined roles, and questioned who is running the Commission. What steps are being taken to address these issues?**

*At the EAC's January 17, 2008, Public Meeting, the Commissioners adopted a new organizational chart which clearly delineates duties and responsibilities throughout the agency, as well as the managerial hierarchy. The new organizational chart reflects the overall reporting structure, and includes personnel increases to improve agency efficiency. The new chart also establishes the position of chief operating officer, as well as redirecting specific responsibilities in several areas.*

2. **The IG asserts there is much confusion among EAC staff as to who is in charge at the Commission and suggested EAC clearly define areas of responsibility and develop an effective hierarchy for reporting, especially between the Commissioners and the Executive Director. What is the EAC doing to address this issue?**

*EAC Commissioners and senior staff met on March 25, 2008, to review and discuss a Delegation of Authority draft policy document. This draft document defines the respective roles and responsibilities of the Commissioners and Executive Director and sets forth in a comprehensive format the respective issues requiring clarification.*

*The Commissioners and senior staff met again on April 8 to continue to finalize the document. At this meeting a subcommittee of commissioners was formed to move the project forward for formal adoption by the commissioners. The commission will submit the document to the committee upon adoption.*

*In addition, the Commissioners will be voting during the next public meeting (April 16) on a policy issued by Vice Chair Hunter designed to streamline and clarify decision-making regarding the use of HAVA funds.*

#### **Submission of Mandated Studies**

- 1. The IG reported that a number of mandated studies and reports have not been submitted by the due dates set forth in HAVA. What were the reasons for the delay of the reports on registration by mail, electronic voting and free postage for absentee ballots? Does the EAC continue to use outside consultants to draft reports? What sort of editing of these reports takes place and by whom? How is the process managed?**

*The U.S. Election Assistance Commission did not have a staff person devoted to overseeing or conducting HAVA-mandated research studies and projects until January 2005. Upon receiving resources in 2005, the EAC began work on the following research projects: preparing Section 303 guidance on states' implementation of statewide voter registration databases (mandated by HAVA to be implemented by January 2006); a study of provisional voting and voter ID requirements related to the 2004 election and HAVA section 302; and the conduct and analysis of the 2004 Election Day Survey that resulted in the HAVA-mandated NVRA and UOCAVA (Section 703) reports, along with a 2004 Election Day Survey report.*

*At the April 2005 EAC Board of Advisors meeting held in Boston, Massachusetts, the EAC research manager presented a list of HAVA-mandated research studies to the Board, which provided a recommendation to the EAC regarding the priority ranking of the remaining research. During the summer of 2005 the research manager developed statements of work and request for proposals for the Free Absentee Postage study; the First Time Voters Who Register to Vote by Mail Study; and the Uniformed and Overseas Citizens Absentee Voting Act; and the Internet Voting Study this letter references.*

*After consulting with USPS officials EAC created and released a request for proposal for the Free Absentee Postage Study in August 2005 and no successful bidders were identified. This RFP was re-issued in 2006 and a contract was awarded to the Election Center to conduct the 18-month study beginning in October 2006. The study was presented and accepted by the EAC in February 2008.*

*The First Time Voters Who Register to Vote by Mail Study will be discussed at the EAC's April 2008 Public Meeting.*

*Regarding the UOCAVA Internet Voting Study mandated by HAVA, the EAC considered it prudent to attempt to collect the extensive data that had been*

*collected from other government agencies to use as a baseline. Collecting this existing information has been an ongoing effort done through various projects including A Best Practices for Facilitating UOCAVA Voting Study done with FVAP and EAC in September 2004, and the recently completed 18-month UOCAVA Internet Voting Study done by the contractor Q2 Data Research. The findings from the UOCAVA Internet Voting Study have helped inform the work that will be conducted by the National Institute of Standards and Technology (through an MOU with EAC) that has begun to study the feasibility and advisability of Internet voting.*

*At the beginning of 2008 EAC hired two additional full-time research staff to assist with the development and execution of EAC research studies. EAC anticipates with additional staff the majority of the final research reports will be written by EAC staff. For research initiatives that require more than two to three staff persons to execute, outside contractors and experts will be used. For example, EAC anticipates providing in-depth technical assistance and training to states as they work to collect and upload data for the 2008 EAC Election Day Survey. This effort, along with drafting four survey reports that will summarize and analyze the data from 55 states and territories requires the assistance of an outside contractor.*

*The review of EAC research reports involves a multi-step process involving the Research Director, research staff, the EAC Communications Department, the Office of the General Counsel and, lastly, the four EAC Commissioners. EAC Research staff review all research reports drafts for their methodological and statistical rigor and provide the research contractor with necessary feedback on draft reports. Once completed to the satisfaction of the EAC research department, the reports are given to the General Counsel and Communications Department for review. To ensure that research reports that are going to be fully adopted and published by EAC meet the agency's standards for writing, syntax and grammar, reports are submitted to a professional editor for final review.*

**2. What steps are being taken to ensure that the problems with issuing the Election Crimes report are not repeated? Who made the decision to change the title of the report?**

*As we noted in a statement regarding the issuance of the inspector general's review, we believe the scrutiny surrounding this research project was the result of inadequate internal procedures. The EAC takes full responsibility for these shortfalls. To address these shortfalls and to ensure that the entire process of a research project – from the issuance of a Request for Proposal to the receipt of a draft document from consultants -- the commission will bring in expertise in federal contracting procedures, and the EAC has already reorganized the internal structure to improve efficiency, including assigning program area experts to perform contract oversight of the projects in their respective areas of expertise. We will continue the practice of using our Virtual Meeting Room to receive input*

*from our boards. This process is open to the public and allows them to not only view the draft documents, but also the comments submitted by board members. For example, in the coming weeks we will seek input from the boards regarding draft chapters of our Election Management Guidelines project. These draft documents will be available in the Virtual Meeting Room for viewing by the public, and everyone will be notified when these draft documents are posted.*

*The EAC has learned valuable lessons from its experience with the Election Crimes report, and we have already increased transparency to inform the public about our internal process and to publish draft information received by contractors and from EAC Commissioners and staff. For the past seven months EAC Commissioners and staff have been posting policy proposals, statements, draft reports and memoranda on our Web site, labeling them as "Documents under Consideration" in the corresponding public meeting section. The public is able to view these drafts prior to the Commission taking action or discussing these materials at a public meeting. For example, we have posted the following draft materials and information prior to official action or discussion: the draft poll worker and college poll worker manuals; the report to Congress on the Expenditure of HAVA Funds by the States; Commissioner statements and policy proposals regarding the NVRA; staff policy proposals for NVRA; and the draft 2006 Election Administration Survey.*

*As noted in the inspector general's review of this project, the changes made to the report, including the title, were a collaborative process. The general counsel was directed by the executive director and the Commissioners to work with the COTR to get the project completed. The general counsel and EAC staff determined that the contractors had not provided workable definitions of "vote fraud" and "voter intimidation" as required by the contract. Instead they had provided a compilation of various infractions that ranged from civil wrongs to non-fraudulent crimes to frauds. The contractors were required to provide a definition that EAC could use to conduct a future study that would gather, organize and categorize information regarding election-related infractions. The term "election crimes" was used because it more accurately described the infractions — both non-fraudulent and fraudulent crimes — that EAC proposes studying in the future. The commissioners acted by unanimous vote in December 2006 to adopt the final report including the change in terminology from "voting fraud" to "election crimes."*

*As noted earlier, the EAC realizes that the internal process to adopt a final report must be more transparent to the public. Some of the election administration topics the EAC researches are divisive, which is why it is even more important for the EAC to clearly demonstrate to the public the basis for and methodology applied to final EAC reports.*

- 1. The Committee was pleased to see that the EAC finished and released the report on Free Postage for Absentee Ballots. Does the report include any**

**data on whether Americans feel that all voters should have the option of voting absentee? Were there any groups of people who felt more strongly that all voters should have the option to vote absentee?**

*The national, random survey of 1,205 voters asked two questions related to this topic:*

*Some states are using an election system in which residents are allowed to cast their vote through the mail in the weeks leading up to Election Day if they want to. Do you strongly favor, somewhat favor, somewhat oppose or strongly oppose allowing people to vote by mail before Election Day instead of in a voting booth on Election Day? Response rates were as follows:*

*Favor (total): 65%  
Strongly favor 39.2%  
Somewhat favor 25.7%*

*Oppose (total): 25.4%  
Somewhat oppose 10.6%  
Strongly oppose 14.7%  
Don't know 8.4%  
Refused 1.2%*

*The follow up question asked:*

*There are many reasons why people may have reservations about voting by mail BEFORE Election Day instead of in a booth ON Election Day. Can you tell me the main reason why you oppose voting by mail BEFORE Election Day? Response rates were as follows:*

*Gave response 286  
( 57% of these response were coded as voting by mail permits opportunities for fraud while 21% were coded as voting is a tradition and should be take seriously/its our duty)*

*Don't know 19  
Refused 1*

*Each focus group (low income, seniors, and persons with disabilities) was asked the following questions related to the topic:*

- *What is your overall opinion of absentee voting by mail?*
- *Would you have any concerns about voting by mail?*

*The final report noted:*

*“Most of the participants in the focus groups have reservations about absentee voting by mail either regarding their personal use of such a voting method or regarding its general use. These concerns fall into the following categories:*

- *Establishment of voter identity — concerns about where the voter actually fills out the ballot and sends it in*
- *Fraud/undue influence from individuals in filling out ballot, general fraud of ballots*
- *Concerns about Postal Service — will it be delivered to the right place in adequate time?*
- *Early deadlines — deadlines for submittal of absentee ballots are too early, have to send in ballots before key events take place in campaign*
- *Lack of assurance that absentee ballots votes will be counted — how are absentee ballots count, are they treated differently from other ballots?*

#### **Budget and Finance Administration**

##### **1. What are the EAC’s plans to improve the Office of Finance and Administration and its management of the Commission’s internal budget?**

*Additional staff has been hired, and budget execution and planning training has been provided to senior staff. The EAC is also reorganizing its internal financial management system to allow senior staff and Commissioners to track department budgets and expenditures more frequently. The EAC has completed the interview process for a chief operating officer, who will have a strong background in managing and executing budgets. The chief operating officer will oversee the improvements in this area and provide day-to-day oversight to ensure that the EAC budget is managed appropriately. The goal is to make EAC’s budget is more accessible to staff and commissioners, thereby providing the flexibility to reallocate funds and to address unexpected expenditures.*

##### **2. In reviewing the EAC’s financial operations the IG discovered that nearly \$850,000 (7.5% of the \$11.3 million of the total net budget) of EAC’s FY06 budget and approximately \$2.4 million of FYO& salaries and expense funds expired because the funds were not used. Why did the EAC return these funds? What has EAC done to ensure that each fiscal year’s funds are used timely and appropriately?**

*The expiration of the \$850,000 was related to two EAC research projects required by HAVA – The Report on the Use of Social Security Information and the Study on Free Absentee Ballot Postage. The bids submitted for these projects were deemed insufficient by the committee that reviewed those proposals. Consequently, EAC staff put the contracts back out for bid, and the prolonged process resulted in our inability to issue these contracts before the end of the fiscal year. Regarding the \$2.4 million in expired funds, there were several*

*factors: the EAC had anticipated receiving many more state plans during this time, and had therefore budgeted for numerous Federal Register submissions; staff had anticipated more activity in the Voting System Certification and Testing program, including numerous registrations by manufacturers and more state participation. We had prepared for the anticipated increase in participation by budgeting for more technical reviewers, for testing and certification costs, and for related travel and administrative costs. Another factor was our intention to hire more staff after the removal of the employee cap. During this time we also had a vacant commissioner position along with the accompanying support staff.*

*As described above, we are developing a database that will allow the commissioners and staff to track the budget more closely and frequently. These budget process improvements, a more accurate monitoring process, the ability to track expenditures on a regular basis, and the addition of a chief operating officer to oversee the budget process will provide the tools to improve the planning, allocation, and management of EAC funds.*

- 3. In FY08, EAC received nearly \$15.5 million to operate the Commission and support the work of its various programs. Do you believe the EAC has the resources necessary to continue its operations and successfully implement the proposed initiatives to improve policies and procedures at the EAC? What is the percentage of funds allocated to staff salaries/travel/conference expenses?**

*In the past, the main impediment to achieving the mandates of HAVA had been the EAC's inability to hire additional employees due to the cap. Since the cap has been lifted, the EAC now has much more flexibility to hire more employees, consultants and interns to accomplish the many tasks before us. Currently, our budget is sufficient. However, we will closely monitor activity in program areas like the Voting System Certification and Testing Program, as well as the costs associated with distributing the newly appropriated \$115 million in requirements payments. In Fiscal Year 2007, \$2,705,522 (19.5%) of EAC's operating budget was dedicated to administration, including internal operations and related costs, salaries and benefits of administrative staff, public meeting and hearing expenses, and travel.*

## **Travel**

- 1. The inspector general in his testimony states that the EAC violated certain travel regulations. When did the EAC commit these infractions? Do you have new internal travel policies in place?**

*The inspector general's report covered fiscal years 2005 and 2006.*

*The EAC received an initial draft of new travel procedures and determined that the draft was not sufficient based upon the inspector general's recommendations*



*and findings. This month, we will issue a Statement of Work to secure a contractor to provide a more comprehensive set of travel policies. In addition, EAC staff recently received training about federal travel regulations, another recommendation made by the inspector general.*

#### **Role of EAC Advisors and Methods of Communication**

- 1. The IG was not satisfied with the EAC's 2007 communications plan and criticized the EAC for lacking any clear communication strategy. How do you define a successful comprehensive communications strategy? What are the EAC's top communications priorities for 2008? How does the EAC intend to improve the communications process with Congress, state election officials and the public?**

*A successful, comprehensive communications strategy is one that helps the EAC achieve the commission's vision, long- and short-term goals, and the principal audiences the commission was created to serve. The mission is to empower voters through information. A successful communications strategy delivers and provides information to all stakeholders. That is why the communications department was recently given additional responsibility in two program areas – clearinghouse and Congressional relations. These key program areas were combined to increase the level of communication and coordination with all stakeholders. In 2008, the goals of the newly created Office of Communications and Congressional Affairs follow:*

- Keep Members of Congress and staff apprised on a regular basis of EAC activities*
- Provide information and data to Members of Congress and staff*
- Provide assistance to constituents referred by Members of Congress and staff*
- Successfully process all Freedom of Information requests*
- Develop and maintain a EAC Clearinghouse that serves as a central repository of information about elections*
- Provide accurate information in a timely manner to members of the media and the public*
- Provide information about EAC activities and information on a regular, consistent basis to Members of Congress, election officials, and all stakeholders*
- Provide editorial assistance to ensure accuracy and consistency for EAC materials*
- Ensure that the EAC Web site is operational, current, accurate, and user friendly*
- Provide regular updates about EAC activities and election administration updates to EAC employees*
- Produce an annual report that accurately captures EAC activities*
- Create an atmosphere of creativity and customer service*

*The EAC will also maximize technology to reach as many audiences as possible. The EAC has already redesigned its Web site to increase transparency and inform the public more frequently about EAC activities. EAC staff received training about the Web site and is now able to update the site from any location. The site is updated daily, and a Calendar of Events and Updates was added to provide a central location for information about public meetings as well as program updates. Visitors will find frequent updates in the Voting System Center, the News Center, and the Election Official Center. The Office of Communications and Congressional Relations is also exploring the use of new media to provide training and updates to stakeholders.*

*EAC stakeholders, including Members of Congress and staff, the media, election officials, and other members of the public receive regular updates from the EAC as well as the monthly EAC newsletter.*

**2. Who reviews and reports to the Commissioners on the on-line comments received from the EAC's Board of Advisors and Standards Board on proposed research projects?**

*In 2007, the EAC established the Virtual Meeting Room on its Web site to provide the boards with a tool to provide comments, as well as a portal for the public to view draft reports as well as the comments submitted by the boards' members. On two occasions the Board of Advisors has had an opportunity to comment on draft EAC reports (the poll worker guidebooks and the Compendium of Poll Worker Requirements and the Effective Designs for the Administration of Elections draft report). The research director reviewed all of the comments and the contractor working on the final draft reports had an opportunity to review summaries of all the comments so that the comments could be integrated into the final draft report.*

*The EAC will continue to use the Virtual Meeting Room to gather input from its boards. The next draft documents that will be available to the boards' members and the public will be eight new chapters of the Election Management Guidelines project.*

**Role of General Counsel**

- 1. The EAC's General Counsel has been undertaking functions that may be seen as inappropriate or not normally carried out by general counsels, such as preparing the Commission's budget, reviewing and editing findings of studies prepared by contractors, and serving as the liaison to Congress. Why has the general counsel taken on so many responsibilities? Who delegated these responsibilities? What is the reporting structure of the general counsel to the Commissioners and the Executive Director?**

*The General Counsel serves as the chief legal officer for EAC and provides legal advice and counsel to EAC on a wide variety of legal matters.*

*The General is also responsible for ensuring that the Commission meets all Federal, state and local legal and regulatory requirements, including all Federal laws, regulations and requirements that pertain to the Help America Vote Act of 2002, the National Voter Registration Act and other laws which are administered by or affect the operation of the EAC.*

*In addition, the General Counsel prepares legal opinions; meets with Federal, state and local officials, attorneys, and civic groups on matters with legal implications; coordinates and/or consults with the Department of Justice and other Federal agencies regarding legal matters; drafts guidance, guidelines, rules and regulations to govern the Commission's conduct; keeps key staff informed of changes in Federal, state and local laws and regulations that may affect EAC's operations; reviews EAC procedures to ensure compliance with Federal, state and local laws and regulations; meets with entities, associations, advocacy groups and/or individuals to exchange information with them and promote an understanding of the Commission's scope of work, policies and practices, as well as necessary changes in those policies and practices.*

*From time to time the Commission has asked the General Counsel to perform other functions that are not traditionally part of the General Counsel's responsibilities. These include serving as the Congressional Liaison for the agency, assisting with preparing EAC's budget submissions to OMB, and assisting on program and research projects. All of these activities have been at the direction of the Commission or the Executive Director.*

*In addition, the EAC until recently has been operating with a limited number of staff, resulting in many employees' assuming additional responsibilities. However, our hiring cap was recently lifted, allowing us to fill critical positions.*

*With regard to all of the work of the General Counsel's office, the General Counsel reports directly to the Executive Director, as is required by HAVA.*

- 2. The EAC has created a new Chief Operating Officer position. What will be the respective roles of the Executive Director, the Chief Operating Officer, and the General Counsel after you have hired the COO?**

*Under the leadership of the Executive Director, EAC is focusing on management issues and transformational change. To manage this change and to enable the Executive Director to focus his attention on external relations and clearinghouse activities, the Chief Operating Officer (COO) position was created to manage the programmatic, financial management and administrative functions of the Commission, all of which will continue to be directed by talented professionals with strong expertise in their areas of responsibility. The COO will have special*

*responsibility for supervising senior staff, ensuring that key program areas work in a carefully coordinated way, as well as ensuring that new systems and procedures are effectively adopted whenever such change is required to support the Commission's transformation and improvement.*

#### **National Voter Registration Form**

- 1. Which state have pending updates to their registration forms and how long has each request been pending? Has the EAC made any projections about how many risk disenfranchisement? Has the EAC made any projections about how many people risk disenfranchisement because of these delays? If so, what are those predictions?**

*At the March public meeting, the Commissioners voted on each state request. The only pending request is from Michigan, which was sent to the EAC after the meeting. The requested change seeks to add county mailing addresses and mailing addresses for the most populous cities. This will not have an impact on voters as the current state address is still valid.*

- 2. What is the status of the Arizona litigation over state instructions on the federal voter registration application? What is the current status of the EAC's dispute with Arizona over Arizona's requested changes? What steps has the EAC taken to ensure that this dispute does not cause the disenfranchisement of Arizona's electorate?**

*The litigation in Arizona pertains to Proposition 200, which requires all Arizona residents to present proof of citizenship before registering to vote and requires voters to show identification at polling places prior to voting. As of August 28, 2007, a District Court judge granted summary judgment to dismiss nine counts of the original 13 claims alleged by the plaintiffs on which the Defendants, the state of Arizona, had sought. Four claims remain.*

*With respect to the federal mail voter registration form, the EAC referred Arizona's failure to process Federal form voter registrations submitted without proof of citizenship to the Department of Justice, the federal agency charged with enforcing the NVRA, in a letter dated March 23, 2006. The letter stated EAC's position that Arizona's actions directly impact the state's compliance with the NVRA.*

*During its public meeting on March 20, 2008, the EAC commission voted 2-2 over whether to adopt Arizona's proposed changes to its state instructions for the federal mail voter registration form.*

#### **Language Accessibility**

1. **Are any requirements funds being used to increase accessibility for limited English proficient voters? If so, what percentage? What specific initiatives are these funds being used for, and where? Are the funds sufficient to help covered jurisdictions meet their requirement under the Section 203 of the Voting Rights Act?**

*We have not collected information regarding the use of requirements funding to increase accessibility for limited English proficiency voters. Requirements payments are not specifically authorized to help states meet any of the requirements of the Voting Rights Act; they are authorized for meeting the requirements for Title III of HAVA.*

2. **Aside from the Glossary of Election Terms, can you describe EAC initiatives in the area of alternative language accessibility?**

*Sections 241(b)(5) and 241(b)(14) of HAVA allow the EAC to conduct studies and other activities that address: 1) methods of ensuring the accessibility of voting, registration, polling places, and voting to all voters, including individuals with disabilities (including the blind and visually impaired), Native American or Alaska Native citizens, and voters with limited proficiency in the English language, and 2) the technical feasibility of providing voting materials in eight or more languages for voters who speak those languages and who have limited English proficiency. Following are listed EAC initiatives in the area of alternative language accessibility:*

*Language Accessibility Program*

- *To meet its statutory requirements under HAVA, the EAC established the Language Accessibility Program (LAP) to assist election officials in meeting the needs of voters with limited English proficiency.*
- *Language working groups: The LAP has convened language specific working groups with the goal of providing guidance to the EAC as it focuses on research under Sections 311 and 312 of HAVA, as well as research under Section 241 and its National Voter Registration Act of 1993 (NVRA) (42 U.S.C. 1973gg et seq.) responsibilities under Section 802 of HAVA. These groups are comprised of election officials, advocacy organizations, Congressional representatives, and representatives from other Federal agencies who understand issues central to how limited English proficiency voters interact with the entire electoral process.*
  - *August 1, 2005: Spanish language working group*
  - *April 26, 2006: Asian languages working group (Chinese, Japanese, Korean, Tagalog, and Vietnamese)*
  - *June 2008 (expected): Native American and Alaska Native languages*
- *Glossary of Key Election Terminology -- Spanish to English, English to Spanish:*

*In April 2007, the EAC published the Glossary of Key Election Terminology [English/Spanish – Spanish/English] as a means to update the FEC's A Glossary of Common Spanish Election Terminology (1979). The EAC Glossary contains 1,843 terms and phrases used in the administration of elections in the United States. In addition to the original terms from the FEC document, new terms and phrases were included from a review of the informational materials made available on each State's website. Furthermore, the glossary also includes the terms found in the glossary section of the EAC's 2005 Voluntary Voting System Guidelines (VMSG). The main purpose of this glossary remains the same as the FEC's 1979 version – to assist State and local election officials in providing translated election materials that are culturally and linguistically appropriate. These are not complete definitions and translations nor exclusive rules of usage.*

*Glossary of Key Election Terminology – Five Asian languages. In September 2007, the EAC awarded a contract to translate the terms and phrases of the EAC's Glossary of Key Election Terminology into the five Asian languages covered under the Voting Rights Act: Chinese, Japanese, Korean, Tagalog, and Vietnamese. The EAC expects the final publications to be completed by the end of May 2008. As part of this project, the contractor was required to utilize stakeholder review groups composed of individuals with an expertise in the target languages and experience in the field of elections to ensure the translations were both culturally and linguistically accurate and appropriate.*

- *Offering the National Mail-In Voter Registration Form in Additional Languages: Under the NVRA, the EAC is responsible for developing and maintaining the National Mail Voter Registration Form for use in Federal elections. As part of meeting its responsibilities under the NVRA, the EAC has decided to issue the Form in the languages covered under the VRA.*

*Currently, the Form is available in English and Spanish on the EAC website. After the Glossary of Key Election Terminology has been translated into Chinese, Japanese, Korean, Vietnamese, and Tagalog, the EAC plans to translate the Form into those languages.*

- *EAC Website: The EAC has recently made available an "En Español" section on its website to assist voters whose primary language is Spanish and have limited English proficiency. This section is also currently being translated into the five Asian languages mentioned above, and will be accessible in the next couple of months. The content available in these sections is aimed at voters seeking general information and resources regarding elections.*
- *Informational brochure: The EAC is currently working on developing "A Voter's Guide to Federal Elections." This publication will be in the format of a brochure and available in English, Spanish, Chinese, Japanese, Korean, Tagalog, and Vietnamese. The brochure will contain information regarding voter registration requirements and procedures, voting absentee, provisional ballots, early voting,*

*polling places and poll workers, contacting local and state election officials, and other general information regarding how to participate in the electoral process. The guide will be made available in time for the general elections.*

#### Election Management Guidelines Program

- *Program Background: Having adopted and published the 2005 VVSG, the EAC considered and approved the development of a set of election management guidelines to complement the technical standards for voting equipment. The resources created under this program consist of the larger and more comprehensive Election Management Guidelines (EMG) and its companion Quick Start Management Guide brochure series that highlight the content of the EMG. The EAC has released three EMG chapters and thirteen quick start brochures. Topics covered include but are not limited to: voting system certification, system security, physical security, absentee voting and vote by mail, poll workers, ballot preparation and pre-election testing, acceptance testing, media and public relations, managing change, developing an audit trail, and uniformed and overseas voters. These materials are developed in collaboration with state and local election officials and professionals that have first-hand experience administering elections.*

*It should be noted that these guidelines do not endorse one method of election administration over another and they are not intended as "one size fits all." States and local election jurisdictions are not required to consider or implement the recommendations or practices contained in the EMG. These Guidelines are solely designed to serve as a source of information for election officials, and not as requirements by which they must abide. Election jurisdictions reserve the right to consider and implement any of the recommendations contained in the EMG in consultation with the appropriate State and local election authorities.*

- *Language accessibility: The EMG program will be developing an EMG chapter and a quick start brochure for election officials regarding voters with limited English proficiency. These materials will address strategies for election officials to consider and implement when providing election services to voters with limited English proficiency. These strategies will range from pre-election through post election processes. While the publications will pay special attention to those languages and populations covered under the Voting Rights Act (VRA), a goal will be for the information and resources provided in the publications to be applicable for languages not covered under VRA as well. As with the other publications developed under the EMG program, the information in the Language Accessibility chapter and brochures will be developed in coordination with election officials and professionals that have experience in this particular area.*

#### Other EAC Research Projects Related to Language Accessibility

- *Effective Designs for the Administration of Federal Elections: The best practices*

*specified in this document support election reform requirements for ballot design and publicly posted voting information—as mandated by sections 241(b)(2) and 302(b) of the HAVA. These sections include:*

- *Ballot designs for elections for Federal office.*
- *Public posting of sample ballots on Election Day.*
- *Public posting of election date and hours on Election Day.*
- *Public posting of voting instructions, including for provisional ballots, on Election Day.*
- *Public posting of instructions for first-time voters and mail-in registrants on Election Day.*
- *Public posting of voting rights, including provisional ballot rights, official contacts for suspected rights violations, and legislative information on misrepresentation and fraud on Election Day.*

*The approach to developing this project was inclusive. It was designed to help local election officials meet the communications needs of all voters, including those with limited English proficiency. The methodology included input from a variety of language, literacy, usability, and accessibility experts. In many cases, election officials representing populations diverse in culture, language, population density, and income were interviewed. Alternate language studies addressed usability and readability needs for single- and dual language prototypes.*

*The EAC's inclusive approach advises election officials to incorporate simple language, usability, and a translator to ensure that the needs of limited English proficiency voters are met. The EAC also recommends using a cultural expert to ensure that translations are not only accurate, but also culturally relevant. These recommendations are included in every component of the project, from ballot design for both optical scan and electronic voting systems to an entire section on providing information in two languages in a polling place. Sample polling place signs and ballots are included throughout the report.*

- *Bilingual Poll Worker Recruitment: Helping election officials recruit and retain poll workers in all communities is a top priority at the EAC. To address the growing need for poll workers, the EAC issued two guidebooks on poll workers: Successful Practices for Poll Worker Recruitment, Training, and Retention and A Guidebook for Recruiting College Poll Workers.*

*The Successful Practices guidebook emphasizes the importance of serving the needs of voters with alternative language needs. Chapter Four, "Recruiting Bilingual Poll Workers" contains the following information:*

- *Federal Requirements Regarding Bilingual Poll Workers*
- *Benefits of Bilingual Poll Workers*
- *Benefits of Partnering with Civic Organizations to Recruit Bilingual Poll*



*Workers*

- *Identifying Specific Needs*
- *Tips*
- *Innovations*
- *How to Evaluate Your Program*

*The Guidebook for Recruiting College Poll Workers contains a chapter on Recruiting Minority and Bilingual Students and explains how these students are important to the success of all poll worker programs, especially in diverse jurisdictions. The chapter contains outreach techniques and strategies as well as recommendations for recognizing the contribution of these students.*

**3. Is the EAC developing guidelines to help election officials conduct better outreach to language minority communities?**

*This will be accomplished through the Election Management Guidelines chapter and quick start brochure mentioned above.*

**4. Will there be an EAC study on alternative language accessibility throughout the country?**

*Sections 241(b)(5) and 241(b)(14) of HAVA allow the EAC to conduct studies and other activities that address: 1) methods of ensuring the accessibility of voting, registration, polling places, and voting to all voters, including individuals with disabilities (including the blind and visually impaired), Native American or Alaska Native citizens, and voters with limited proficiency in the English language, and 2) the technical feasibility of providing voting materials in eight or more languages for voters who speak those languages and who have limited English proficiency. The study of alternative language accessibility throughout the country may be a part of these efforts. However, the scope, goal, and method for those studies have not yet been developed, but are being considered.*

**Voluntary Voting System Guidelines**

**1. As you know, the Voluntary Voting System Guidelines (VVSG) will be the future standards for voting systems. What will be the EAC's role with the future of our voting systems?**

*Sections 221 and 222 of HAVA describe the process for the creation and adoption of the Voluntary Voting System Guidelines. Per section 221 HAVA mandates that the EAC's Technical Guidelines Development Committee (TGDC) with support from the National Institute of Standards and Technology (NIST) shall assist the EAC's Executive Director in the development of the VVSG. On August 31, 2007 the TGDC unanimously approved their recommendations for the creation of the next iteration of the VVSG. This draft document represents the first step in the creation of the next set of voting system standards. This next iteration of the*

*VVSG is designed to be a total re-write of the previous VVSG. The TGDC draft recommendations are designed to improve the usability, accessibility, and security of future voting systems through innovation. Upon receipt of the recommendations the EAC began its four phase plan to create the next iteration of the VVSG. The four phase plan is as follows:*

*Phase I – The EAC submits the TGDC's draft document to the Federal Register and launches the first public comment phase with an online comment tool available at [www.eac.gov](http://www.eac.gov). The public comment period will last for 120 days and all comments will be made public. Also during this phase the EAC will hold public meetings with stakeholders to discuss the proposed guidelines.*

*Phase II – The EAC will collect and review all public comments submitted on the TGDC draft. After consideration of all public comments, the EAC will perform an internal review.*

*Phase III – Based upon public comment and internal review of the TGDC document, the EAC will develop and publish its draft version in the Federal Register. The public will have another 120 days to comment on the EAC draft version. The EAC will conduct public hearings about its draft version.*

*Phase IV – The EAC will collect and review all comments submitted and make final modifications. The final version of the VVSG will be adopted by vote of the Commission at a public meeting and then published in the Federal Register.*

*Currently the EAC is in Phase I of the four phase plan. The first public comment period is scheduled to conclude on May 5, 2008. In order to best serve the public the EAC has created a public comment portal in order to receive and post comments. This portal is designed to be easy to use and navigate in order to encourage all interested persons to comment on the TGDC's draft recommendations. To date the EAC has received just over 700 comments all of which are posted on the EAC's website for public review. Also, the EAC has conducted roundtable discussions of the proposed standards with Computer Scientists, Voting System Manufacturers, and the EAC's Voting System Test Laboratories. On April 24th the EAC will hold a roundtable discussion with Voting Integrity Advocates and on April 25th it will hold a roundtable with Election Officials from around the country. Finally, on May 5th the EAC will hold an "interdisciplinary" roundtable which will include all major stakeholder groups. The details of all of these roundtables, including testimony, agendas, and additional information are available on the EAC's Web site. These roundtable discussions are designed to be free flowing public discussions regarding specific areas of the TGDC draft recommendations. All roundtable discussions are open to the public. The information gained in the roundtable discussions will be used to help inform the EAC staff and Commissioners as they work to create the EAC's draft version of the next iteration of the VVSG.*

#### **Federal Information Security Management Act and OMB Regulations**

The Inspector General in his evaluation found that the EAC was in non-compliance with the Federal Information Security Management Act and OMB regulations, and recommended the establishment and implementation of procedures for information security and privacy management.

**1. What is the status of the EAC's efforts to redress this glaring shortcoming?**

*The EAC receives much-needed services from GSA, including information technology (IT) support and payroll and vendor payment. Therefore the infrastructure to deliver these services is within GSA's firewall. This pertains to all data on our servers and personal identifiable information relating to payroll. The EAC adheres to all tenants of GSA's IT regulations. The EAC has provided mandatory training to all employees on the Privacy Act and IT Security Awareness. Beginning in May, the IT Specialist will participate in a series of training on FISMA over a five-week period.*

**2. What is the status of the two contracts the EAC has entered into to address these issues?**

*Per the information provided under the Timeline for Developing and Implementing Policies and Procedures section, we have already received drafts for the following policies and procedures: (1) the Privacy Act, (2) Government in the Sunshine Act, (3) the Freedom of Information Act, (4) the Federal Advisory Committee Act, (5) nondiscrimination, (6) standards of conduct, (7) Trade Secrets, and (8) grants administration. We are reviewing the draft regulations now and will make edits as necessary. After the drafts are finalized by EAC staff, we will present to the Commissioners for formal adoption and promulgate them in accordance with the Administrative Procedures Act and other authorizing statutes.*

*We have just completed a Statement of Work regarding compliance with FISMA, and we anticipate issuing it this week and awarding the contract by the first week of May. This contract will also cover assistance in preparing policies and procedures in a number of commission areas, such as completion of our draft travel regulations as well as policies and procedures currently being developed by individual division managers. The contract will also include assistance to the EAC in preparation for its financial audit.*

Mar 13 2008 8:00PM HP LASERJET FAX

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OFFICE OF THE CHAIR

U.S. ELECTION ASSISTANCE COMMISSION  
1225 NEW YORK AVENUE, N.W., SUITE 1100  
WASHINGTON, D.C. 20005

March 11, 2008

The Honorable Zoe Lofgren  
Chairwoman, House Administration  
Subcommittee on Elections  
1309 Longworth House Office Building  
Washington, DC 20515-6157

Dear Chairwoman Lofgren:

Thank you for contacting the U.S. Election Assistance Commission (EAC) regarding our efforts to provide ballot design assistance to election officials. As you noted, the EAC has issued *Effective Designs in Federal Elections*, a set of best practices for ballots and information posted in polling places.

*The Effective Designs in Federal Elections* report is quite extensive, covering voter information materials and ballot design practices for several voting systems, including optical scan, full-face direct recording electronic (DRE) and rolling DRE. The report includes sample images and design specifications.

The extensive report is accompanied by a comprehensive and highly useful image library, containing thousands of camera-ready images in two formats. The report and the image library were distributed to more than 6,000 election officials throughout the nation. The image library provides files that can be customized for a local jurisdiction, and then sent to the printer for production – a service that saves election officials money as well as providing them with voting materials that were created with sound design principles and practices. The image library is not available on the EAC Web site due to security concerns, but the Web site contains instructions for election officials who would like to receive the image library.

As the Government Accountability Report demonstrated, ballot design continues to present a challenge to both voters and election officials. There have been more recent instances of voter confusion over ballots during this year's primary season. So we certainly agree that the EAC must continue to aggressively push its *The Effective Designs in Federal Elections* report to make sure election officials are aware of the EAC's resources.

In April, the EAC will hold a ballot design workshop. Participants will include election officials who use different kinds of voting technology so we can discuss design principals for a variety of ballots. We will discuss lessons learned, innovative practices, and how ballot design must be integrated into the election administration management system. During the workshop, the EAC

Tel: (202) 566-3100 [www.eac.gov](http://www.eac.gov) Fax: (202) 566-1392  
Toll free: 1 (866) 747-1471

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U.S. ELECTION ASSISTANCE COMMISSION  
1225 NEW YORK AVENUE, N.W., SUITE 1100  
WASHINGTON, D.C. 20005

OFFICE OF THE CHAIR

The Honorable Zoe Lofgren  
March 11, 2008  
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will remind election officials about the assistance we provide to ensure voters can successfully participate on Election Day.

In addition to our upcoming workshop about ballot design, the EAC is working with the History Channel in its efforts to produce a series about elections, including election management and ballot design. We provided them with representative samples, and we look forward to helping them educate the public and election officials about the importance of voter friendly election materials.

State laws and procedures are changing rapidly, so in addition to our work with ballot design practices, we will also continue promoting effective voter information materials for the polling place and making sure election officials know we have camera ready images they can customize and use free of charge.

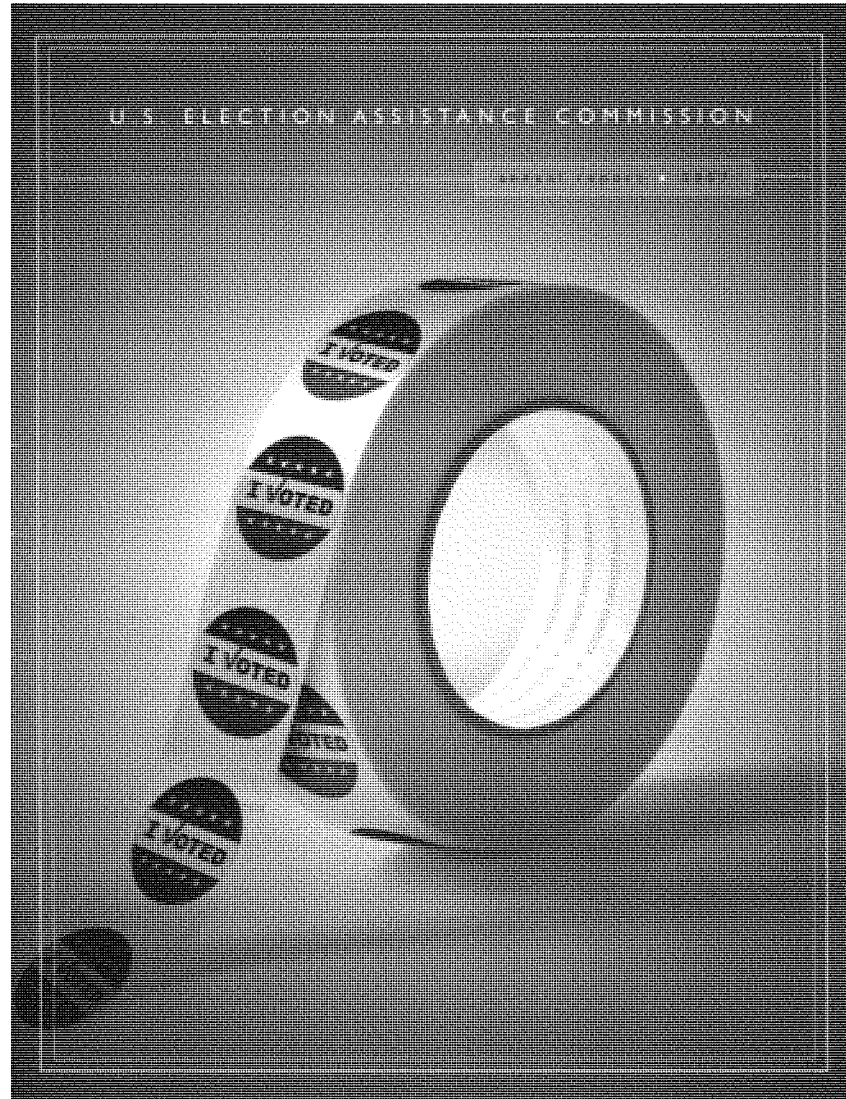
We will keep you apprised of our activities and our progress. For your information, we have enclosed *The Effective Designs in Federal Elections* and the image library, along with a guide about how to use the images.

Please let us know if we can be of further assistance or if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosemary E. Rodriguez".

Rosemary E. Rodriguez  
Chair  
U.S. Election Assistance Commission





## U.S. ELECTION ASSISTANCE COMMISSION

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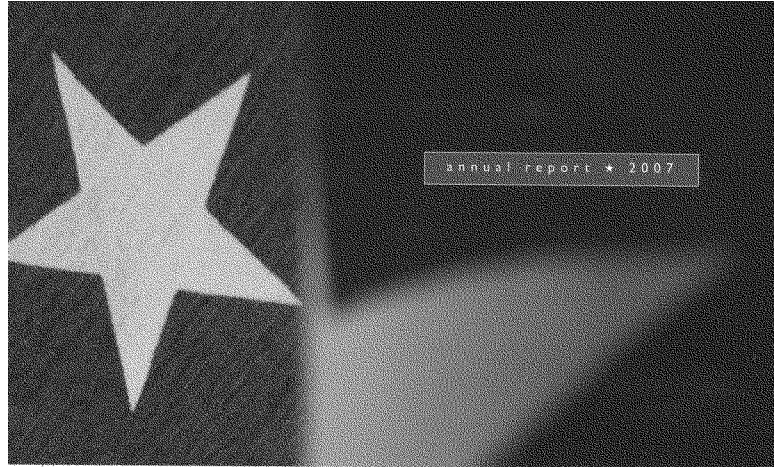
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In Fiscal Year (FY) 2007, the U.S. Election Assistance Commission (EAC) focused efforts on fulfilling its role under the Help America Vote Act (HAVA) as a national clearinghouse of information and working with election officials to improve voting systems and to implement effective management procedures surrounding those systems.

Election officials throughout the nation continued to face challenges as many proposals were introduced at the state and Federal levels that could result in additional or new requirements for voting systems. Consequently, the EAC concentrated on providing election officials with management procedures for election administration that would be applicable for any type of voting system. In addition to providing assistance in the management of voting systems, the Commission also intro-

duced the Federal government's first voting system certification program and worked to educate the public about the history of voting system certification and the status of existing voting systems. The EAC received many questions from the public, the media, and members of Congress about which government entity is responsible for overseeing voting system manufacturers that have not chosen to participate in the EAC's certification program. The public has also expressed a desire for the Federal government to take

## INTRODUCTION

a more active role in making the public aware of voting system issues that arise at both the state and local government levels.

The EAC recognizes that having a secure, accurate and accessible voting system is only part of the solution to ensure that votes are counted accurately. All voting systems — paper-based, electronic, mixed — are vulnerable without thorough election management procedures in place. After all, people touch every part of the process and every detail, no matter how small; thus, proficient controls are crucial. To assist election officials in their efforts to implement effective management procedures, the EAC issued the first three chapters of its Election Management Guidelines and distributed them to more than 6,000 election officials throughout the nation.

Another priority for the EAC in FY 2007 was the launch of the Federal government's first Voting System Testing and Certification Program. In January of this year, the National Institute of Standards and Technology (NIST) met its HAVA obligation by delivering the first two voting system test laboratory recommendations to the EAC. The test laboratories were accredited by the EAC, enabling the Commission to begin accepting applications from manufacturers to participate in the certification program and submit voting systems and software for testing.

The launch of the Voting System Testing and Certification Program presented a new set of tasks for the EAC, including setting up an internal structure to track program developments, monitoring participants and notifying the public and election officials about activities — minor and major. To ensure the public and election officials were noti-

fied about the program on a regular basis, the EAC established a separate Voting Systems Center on its Web site, containing information about everything from registered manufacturers to voting systems submitted for testing.

The information in this annual report outlines the EAC's activities in FY 2007 and includes Commission activities that will take place in FY 2008. The past year saw the establishment of the first Federal Voting System Testing and Certification Program, but also criticism about the Commission's internal procedures and policies. The EAC worked hard to make improvements while not losing focus of the HAVA obligations it is mandated to fulfill and the reason the Commission was created — to provide assistance to make election administration improvements.

#### The Commission

The EAC is an independent, bipartisan agency created by HAVA. It assists and guides state and local election officials in improving the administration of elections for federal office. The EAC dispenses Federal funds to states to implement HAVA requirements, audits the use of HAVA funds, adopts the Voluntary Voting System Guidelines (VVG), and serves as a national clearinghouse and resource of information regarding election administration. The EAC also accredits testing laboratories and certifies, decertifies, and recertifies voting systems.

#### The Commissioners

The four EAC Commissioners are Rosemary E. Rodriguez, chair; Caroline C. Hunter, vice-chair; Gracia M. Hillman; and Donetta Davidson. Commissioners are nominated by the President

and confirmed by the U.S. Senate, and may serve only two consecutive terms. Commissioners serve staggered terms. No more than two Commissioners may belong to the same political party. Commissioners Rodriguez and Hunter joined the EAC in March 2007, replacing the vacancies left by former commissioners Ray Martinez and Paul DeGregorio, respectively. Commissioner biographies, speeches, and statements are available at [www.eac.gov](http://www.eac.gov).

#### The Executive Director

Thomas Wilkey was named executive director of the EAC in May 2005 by a unanimous vote of the Commission. The EAC's executive director serves a 4-year term. The executive director's duties include managing daily operations, preparing program goals and long-term plans, managing the development of the *FFSG*, reviewing all reports and studies, and overseeing the appointment of EAC staff members and consultants.

#### The General Counsel

Juliet Hodgkins was named general counsel of the EAC in August 2004 by a unanimous vote of the Commission. The general counsel serves a four-year term and is the chief legal officer for the Commission. The general counsel provides legal advice and counsel to the Commissioners and EAC staff.

#### The Office of Inspector General

The Office of Inspector General (OIG) is currently staffed with one permanent full-time position. In FY 2007, the OIG contracted with an independent public accounting firm for additional audit support. During FY 2007, the OIG focused its efforts on states' expenditure of HAVA funds. The objectives of these audits were to determine whether the state expended HAVA payments in accordance with the Act. Audits of Illinois, Pennsylvania, South Carolina, Ohio, Indiana, Maryland, Wyoming, and Kentucky were completed in FY 2007. The audits identified approximately

\$1.1 million in questioned costs and \$9.7 million in potential additional funds for the program.

In addition, the OIG completed a performance audit of management of travel by the EAC. The audit found that travel was not performed in accordance with the Federal Travel Regulation. The audit identified errors in 91 percent of the travel packages (authorizations and vouchers) examined. While the majority of the errors were minor, such as claiming taxes as part of the lodging rate, some were more significant, such as traveling to a location that was not authorized or claiming a lodging rate that exceeded the authorized rate. Overall, the mistakes were evidence of a need for independent controls and clear instructions on the preparation and approval of authorizations and vouchers, and for effective reviews of the accuracy of the travel claims. The OIG also noted a need for procedures to ensure that international travel is essential to the EAC mission and that employees receive compensatory time when traveling on their own time. Finally, the OIG concluded that travel cards were adequately controlled and used for official purposes and that travelers generally paid their travel card bills on time.

The EAC concurred with the findings and recommendations. The response indicated that the EAC administrative staff had begun additional oversight of employee travel authorizations and vouchers and had arranged for additional training. In addition, the EAC said it would draft internal policies and procedures to address the issues raised in the report.

OIG audits and other program materials are available at [www.eac.gov](http://www.eac.gov).

#### EAC Federal Advisory Committees

HAVA created a 37-member Board of Advisors and a 110-member Standards Board to help the EAC carry out its mandates under the Act. HAVA Section 221 calls for establishing a Technical Guidelines Development Committee (TGDC) to help EAC develop the *FFSG*. These advisory boards provide valuable input

and expertise in forming guidance and policy. In FY 2007, the EAC established a Virtual Meeting Room for its advisory committees to facilitate a more transparent and efficient way of receiving input. The Virtual Meeting Room is available at [www.eac.gov](http://www.eac.gov), and all comments made by board members are available to the public. Virtual Meeting Room notices were also posted in the *Federal Register* to notify the public about the comment sessions.

#### Board of Advisors

Membership on the Board of Advisors includes the following groups, as specified in HAVA (two members appointed by each): National Governors Association; National Conference of State Legislatures; National Association of Secretaries of State; The National Association of State Election Directors; National Association of Counties; National Association of County Recorders, Election Officials and Clerks; The United States Conference of Mayors; Election Center; International Association of Clerks, Recorders, Election Officials, and Treasurers; the U.S. Commission on Civil Rights; and Architectural and Transportation Barriers Compliance Board.

Other members include representatives from the U.S. Department of Justice, Public Integrity Section of the Criminal Division and the Voting Section of the Civil Rights Division; the director of the U.S. Department of Defense Federal Voting Assistance Program; four professionals from the field of science and technology, one each appointed by the Speaker and the Minority Leader of the U.S. House of Representatives, and the Majority and Minority leaders of the U.S. Senate; and eight members representing voter interests, with the chairs and the ranking minority members of the U.S. House of Representatives Committee on House Administration and the U.S. Senate Committee on Rules and Administration each appointing two members.

In FY 2007, the Board received updates on EAC's voting system certification and laboratory

accreditation program; activities of the Technical Guidelines Development Committee (TGDC) regarding the FVSG; HAVA financial reporting schedules; the EAC's audit process; the EAC's Election Day survey; and the EAC's Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) survey. Advisory board materials are available at [www.eac.gov](http://www.eac.gov).

The Advisory Board adopted the following resolutions in FY 07:

- Resolution 2007-01 honored former EAC Chairman Paul DeGregorio
- Resolution 2007-02 requested that the EAC update the Board of Advisors on its progress regarding Section 241(b) of HAVA
- Resolution 2007-03 recommended that the EAC "provide guidance to states and territories of appropriate examples of a HAVA compliant definition of a vote"
- Resolution 2007-04 recommended that the EAC "describe how laboratories are evaluated for their capacity to conduct accessibility, usability, and privacy conformance testing" to the 2005 FVSG
- Resolution 2007-05 recommended that EAC "invite major voting system manufacturers" to testify on preparedness regarding issues that surfaced during the 2006 elections
- Resolution 2007-06 recommended that "Congress grant a permanent exemption from the Paperwork Reduction Act" for the EAC

Advisory Board documents, including resolutions, are available at [www.eac.gov](http://www.eac.gov).

#### Standards Board

The Standards Board consists of 110 members; 55 are state election officials selected by their respective chief state election official and 55 are local election officials selected through a process supervised by the chief state election official. HAVA prohibits any two members representing the same state to be members of the same political party.

The board elects nine members to serve as an executive board, of which not more than five are state election officials, not more than five are local election officials, and not more than five are members of the same political party.

In FY 2007, Standards Board members reviewed and commented on the draft EAC manual on Poll Worker Recruitment, Training and Retention, and a draft EAC manual on Recruiting College Poll Workers. The board adopted bylaws in FY 2007 as well as reviewed the draft *FFSG* presented by the Technical Guidelines Development Committee. The board adopted the following resolutions:

- Resolution 2007-01 recommended that EAC inform the Congress and the public that HAVA is still being implemented, that Congress should provide funding to states to meet any new Federal election laws, and that any new election laws that are passed should not have effective dates before July 2010
- Resolution 2007-02 urged EAC to include two representatives of election organizations to work with NIST and the Technical Guidelines Development Committee on the next iteration of the *FFSG*
- Resolution 2007-03 recommended that EAC seek input from the public and from election officials about the National Voter Registration Act (NVRA) and make the information available to Congress in the EAC's next NVRA survey
- Resolution 2007-05 recommended that the EAC narrow the scope of the *FFSG* to only time-sensitive and emergency matters. The resolution also stated that the EAC should adopt a regular schedule for updates to the *FFSG*

Standards Board documents, including resolutions, are available at [www.eac.gov](http://www.eac.gov).

#### **Technical Guidelines Development Committee**

HAVA mandates that the Technical Guidelines Development Committee (TGDC) help the EAC develop

the *FFSG*, a task that was completed in May 2005. The guidelines are voluntary and each state retains the prerogative to adopt these guidelines.

The chairperson of the TGDC is the director of NIST. The TGDC is composed of 14 other members appointed jointly by EAC and the director of NIST. Members include representatives from the Standards Board, the Board of Advisors, Architectural and Transportation Barriers Compliance Board, American National Standards Institute, Institute of Electrical and Electronics Engineers, The National Association of State Election Directors (two representatives), and other individuals with technical and scientific expertise related to voting systems and voting equipment.

The TGDC held several plenary meetings throughout the fiscal year, focusing primarily on the next iteration of the *FFSG*. To view meeting minutes, resolutions and other related material, visit [www.vote.nist.gov](http://www.vote.nist.gov).

#### **EAC Operations**

By FY 2007, the EAC had met several key HAVA mandates, including the adoption of the 2005 *FFSG*. The Commission had distributed all available HAVA funds to the states and shifted its priorities to auditing the funds that had been distributed as well as advising states on the proper use of HAVA funds. With those major responsibilities successfully executed, the Commission turned its attention to implementing a nationwide voting system testing and certification program, which officially launched in January 2007. The Commission's FY 2007 appropriation was \$16.2 million.

#### **Improving Voting Technology**

In FY 2007 almost half of the Commission's budget—48.4 percent—was dedicated to improving voting technology. Related activities included working with NIST to evaluate and accredit voting system test laboratories and the management of the entire

voting system certification process. Also included was \$4.95 million for NIST to assist the EAC in this program area.

#### EAC Administration

Nineteen percent of the EAC's budget was dedicated to administration, which included internal operations and related costs, such as rent, office equipment and supplies, salaries and benefits, public meeting and hearing expenses, travel, and other administrative costs. This percentage also included costs for issuing related *Federal Register* notices regarding EAC activities.

#### HAVA Funds Management

In FY 2007, 17 percent of the budget was dedicated to HAVA funds management activities such as the audit program and activities conducted by the Office of Inspector General. These funds also covered the issuance of the 2007 report on HAVA spending by the states.

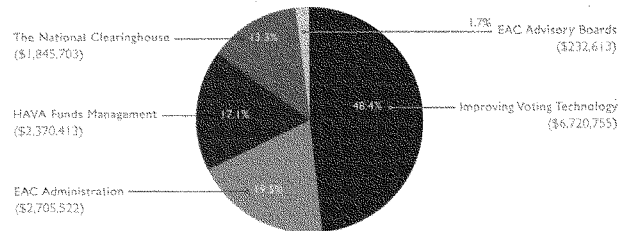
#### The National Clearinghouse

To meet the HAVA research and study mandates and to provide election administration materials in preparation for the 2006 election, 13.3 percent of the budget was used to conduct and distribute the National Voter Registration Act Survey, the Uniformed and Overseas Citizens Voting Act Survey, Poll Worker Best Practices, and the Effective Designs in Election Administration project. Clearinghouse funds were used to produce and distribute the Election Management Guidelines and related Quick Start Management guides, which covered topics such as voting system certification and voting system security.

The National Clearinghouse also funds the Language Accessibility Program, which produced the Spanish Glossary of Election Terms. Clearinghouse materials are available at [www.eac.gov](http://www.eac.gov).

#### EAC Advisory Boards

The EAC applied 1.7 percent of its budget to fund meetings for the Standards Board and Board of Advisors to help develop the next iteration of the FVSG, review EAC guidance, and provide advice regarding research projects.



#### Votes Taken by the Commission

In FY 2007, the Commissioners cast votes on a wide variety of issues and initiatives, including the Election Crimes report, Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) report, poll worker guidebooks, HAVA expenditures by the states, the National Voter Registration Act survey, and the Spanish Glossary of Election Terms. A summary of FY 2007 votes is shown in the following tables.

FY 2007 - EAC Action			
Item	Handled by	Date Transmitted	Carding Date
1. Adoption of Executive Order (December 21, 2006) Regarding Across the Board Pay Increase to Government Employees	3	1/3/07	1/4/07
2. Appointing Donetta Davidson as the Designated Federal Officer to the EAC Board of Advisors	3	1/4/07	1/9/07
3. Final Approval and Publication of EAC Advisory 2007-001	withdrawn	1/19/07	withdrawn
4. Final Approval and Publication of EAC Advisory 2007-001 - REVISED	3	1/22/07	1/24/07
5. EAC Credit Card Policy	withdrawn	2/2/07	withdrawn
6. EAC Credit Card Policy - REVISED	3	2/6/07	2/7/07
7. Federal Register Publication of changes to the Kentucky HAVA State Plan	3	2/9/07	2/13/07
8. Website Maintenance Assistance (EAC Contract No. 07-12)	3	2/27/07	3/1/07
9. EAC Advisory 07-002 - Program Income and Set-Off Cost Incident to Program Income	4	3/20/07	3/27/07
10. Draft Voter Identification Report, Research and Future Study of Voter Identification Requirements	withdrawn	3/26/07	withdrawn
11. Draft Voter Identification Report, Research and Future Study of Voter Identification Requirements	withdrawn	3/28/07	withdrawn
12. Draft Voter Identification Report, Research and Future Study of Voter Identification Requirements	4	3/29/07	3/30/07
13. Release of Non-Public Information Pertaining to EAC Voter Identification and Voter Fraud and Intimidation Projects	4	6/7/07	6/7/07
14. Approval to Terminate the Review of Ciber's Application Under EAC Interim Laboratory Accreditation Program	4	6/7/07	6/12/07



## \* Introduction \*

## 2007 \* Tally Votes (Cont.)

Title	Decided by Vote of	Date Transmitted	Carroll Date
15. Approval to Accredite InfoGard Laboratories as an EAC Voting Systems Test Laboratory	4	6/15/07	6/21/07
16. The Addition of New Subject Matter to the July 19, 2007 Public Meeting in Charlotte, North Carolina	4	7/12/07	7/12/07
17. Approved the Proposed Policy on Posting Reports and Studies Regarding Voting Systems	withdrawn	7/31/07	withdrawn
18. Approved the Proposed Policy on Posting Reports and Studies Regarding Voting Systems	4	8/1/07	8/3/07
19. Release of Provisional Voting Study	3	8/1/07	8/6/07
20. EAC Staff Recommendation to Adopt the September 2007 EAC UOCAVA Survey Report Findings and the Q2 Data Research Draft Case Studies Report UOCAVA Voters and the Electronic Transmission of Voting Materials in Four States."	withdrawn	9/19/07	withdrawn
21. EAC Staff Recommendation to Adopt the September 2007 EAC UOCAVA Survey Report Findings and to release the Q2 Data Research Draft Case Studies Report UOCAVA Voters and the Electronic Transmission of Voting Materials in Four States."	4	9/20/07	9/21/07
22. The Addition of New Subject Matter to the October 4, 2007 Public Meeting in Washington, DC	4	9/21/07	9/25/07

## 2007 \* Comprehensive Voting

Title	Decided by Majority	Date Transmitted	Carroll Date
1. FY 2006 Help America Vote College Program—Extension Requests	3	2/5/2007	2/7/2007
2. Human Resources Specialist	4	3/28/2007	3/29/2007
3. FY 2006 Help America Vote College Program—Extension Request	4	3/30/2007	4/2/2007

#### A New Approach to Transparency and Accountability

In FY 2007, the EAC took several important steps to increase transparency and accountability regarding Commission activities and decisions. To facilitate transparent discussions and review sessions for the EAC's Board of Advisors and Standards Board, Commissioner Gracia Hillman led the effort to establish a Virtual Meeting Room on the EAC Web site. Board members used this technology to review draft documents and provide input to the EAC. The Virtual Meeting Room is open to the public, and visitors are able to review the draft documents as well as the comments posted by the board members. In addition to providing transparency, the Virtual Meeting Room also saves money and time, as well as increasing board member participation by eliminating the need for in-person review sessions. To view draft documents and board member comments, visit the Virtual Meeting Room at [www.eac.gov](http://www.eac.gov).

In addition to posting draft documents in the Virtual Meeting Room, the Commission also posted

on the EAC Web site documents and related material that would be considered during public meetings.

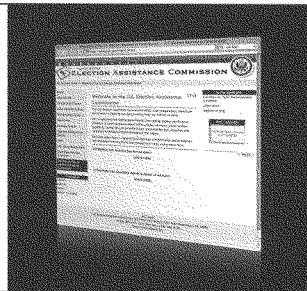
For instance, prior to the Commission's adoption of the two best practices guidebooks on poll workers, the draft documents were posted on [www.eac.gov](http://www.eac.gov) for the public's review. The Commission took the same approach regarding the National Voter Registration Act (NVRA). Prior to the Commission's October public meeting on NVRA, draft procedures submitted by Commissioner Caroline Hunter and EAC staff were posted on the Web site for the public to review prior to the meeting.

The first statement issued by Vice-Chair Rodriguez expressed her desire to conduct EAC activities in the sunshine, and she urged the Commission to take votes at public meetings whenever possible. Vice-Chair Rodriguez has also instituted a series of brownbag lunch discussions to give the public an opportunity to exchange ideas about topics currently before the Commission.

EAC Chair Donetta Davidson made accountability a cornerstone of her tenure. In response to

#### NEW EAC WEB SITE DESIGN

In FY 2007, the EAC launched a newly designed Web site, and the guiding principal behind the new design was accessibility. The EAC generates a lot of information, some of which is difficult to categorize and present to the public in a logical and intuitive manner. To ensure that the public is able to locate the information they seek, EAC created user centers targeted to the various stakeholders who are impacted by EAC activities. Due to the widespread interest in voting systems, the EAC added a Voting System Center with categories about both the voting system test laboratories and the manufacturers.



Congressional and public inquiries regarding EAC's management of research projects, she requested that the Inspector General review EAC research practices to identify areas that need improvement in order to increase productivity and transparency at every level of EAC operations. The entire Commission supported the Chair's request and awaits the Inspector General's results, which will be provided to Congress and made available to the public. The Commission also voted to make public the more than 40,000 pages of documents about EAC research requested by Congress. The documents and Congressional correspondence are available to the public by visiting the Freedom of Information Act Reading Room at [www.eac.gov](http://www.eac.gov) or on four compact discs by sending a request to [HAVAinfo@eac.gov](mailto:HAVAinfo@eac.gov).

To ensure bipartisan participation in EAC activities, Chair Davidson also established subcommittees to oversee the Commission's budget, research, and the NVRA.

#### Web Site Activities

During FY 2007, EAC Web site traffic increased dramatically, receiving 3,678,318 hits. Top page destinations included Register to Vote, the Voting System

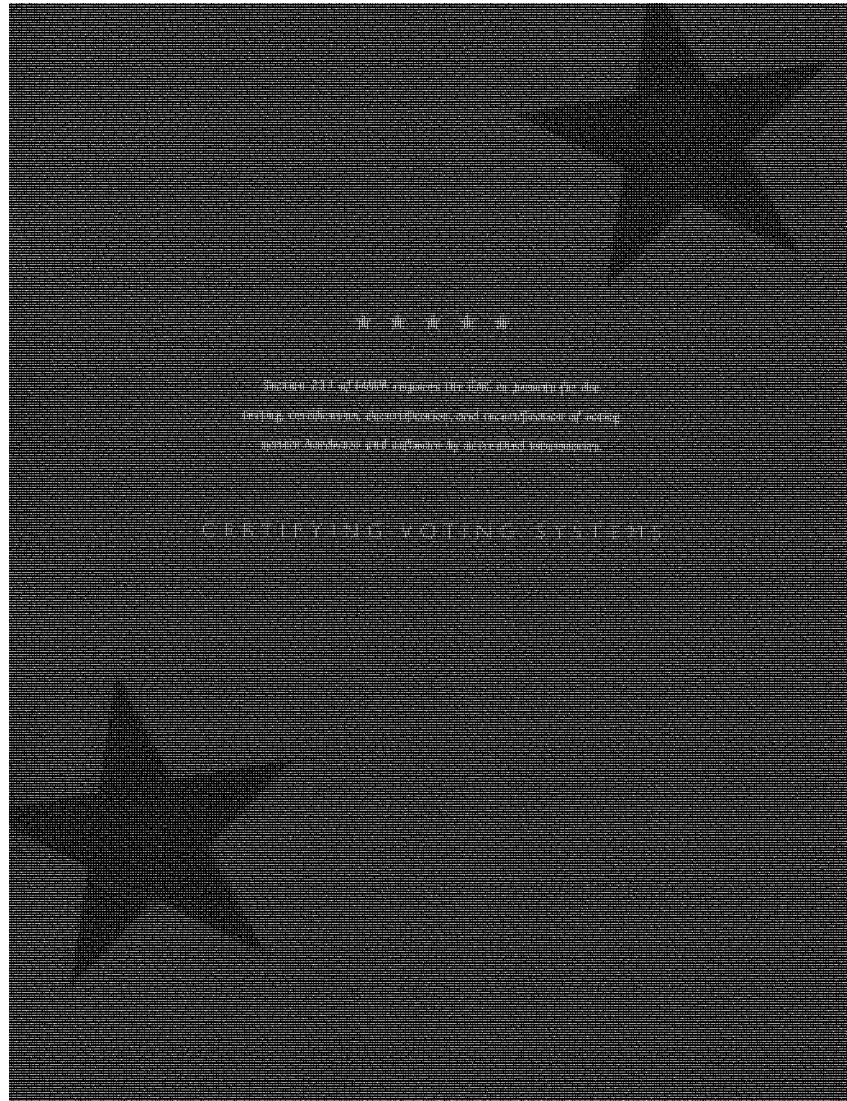
Testing and Certification and Laboratory Accreditation Program, the 2005 FFSG, and the Spanish Glossary of Election Terms. The most popular download was the National Voter Registration Form.

Information about voting systems and voting system test laboratories, official meeting minutes and agendas, *Federal Register* notices, public meeting and hearing schedules, EAC studies and research, and more information about election administration and HAVA are available at [www.eac.gov](http://www.eac.gov).

#### EAC Newslines

The EAC's monthly electronic newsletter, *EAC Newslines*, continues to be a popular resource of information about EAC news, updates and other HAVA-related information. Those interested in receiving the newsletter can sign up for *EAC Newslines* by sending an e-mail to [HAVAinfo@eac.gov](mailto:HAVAinfo@eac.gov). In addition to distributing *EAC Newslines*, the EAC distributes news releases, meeting announcements, and program updates on a regular basis.





## CERTIFYING VOTING SYSTEMS

### The Federal Government's New Role

Until the passage of HAVA and the establishment of the EAC's Voting System Testing and Certification Program, the Federal government did not test voting systems or issue findings regarding their ability to adhere to Federal voting system standards. Approximately 39 states participated in a testing program administered by the National Association of State Election Officials (NASED), which evaluated and issued what were known as "qualifications" to notify election officials which voting systems had successfully met the requirements of its testing program. NASED, a non-partisan, volunteer organization consisting of election directors, began testing voting systems in 1994 against standards adopted by the Federal Election Commission (FEC). NASED did not receive Federal funds or support to administer this program. NASED terminated its voting system program in July 2006.

#### The Voting System Testing and Certification Program

Section 231 of HAVA requires the EAC to provide for the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories. EAC's full program was launched in January 2007. The first requirement for voting system manufacturers wishing to participate is registration. Registration is the process by which manufacturers make initial contact with the EAC and provide information essential to participate

in the program. Before voting system manufacturers can submit an application to have a voting system certified by the EAC, it must first successfully complete the registration requirements.

- **Information** – the manufacturer must provide its official name, address, and organization description. It must also identify any individual, organization, or entity with a controlling ownership interest in the manufacturer. Also required are proof of written policies on document retention and a list of all manufacturing and/or assembly facilities.
- **Agreements** – Manufacturers are required to take or abstain from certain actions to protect the integrity of the EAC program and promote quality assurance. They are required to represent a system as certified only when authorized by the EAC; notify the EAC of any changes to an EAC-certified system; permit the EAC to review fielded voting systems and visit manufacturer's facilities; cooperate with any and all inquiries and/or investigations; report any malfunctions of EAC-certified systems; certify that the manufacturer is not barred from doing business in the United States; and adhere to all program requirements.



The manufacturer must also successfully complete the EAC's application form, providing all required information. If all of the requirements are successfully met, the manufacturer receives an identification code and is eligible to submit voting systems for testing. If manufacturers engage in activities that are inconsistent with the program requirements, their registration may be suspended.

In FY 2007, 10 manufacturers successfully registered, allowing them to submit systems and software for testing.

- \* Advanced Voting Solutions, Incorporated
- \* Avante International Technology, Incorporated
- \* Dominion Voting Systems Corporation
- \* Election Systems & Software (ES&S)
- \* Hart InterCivic, Incorporated
- \* MicroVote General Corporation
- \* Premier Election Solutions (formerly Diebold Election Systems, Incorporated)
- \* Sequoia Voting Systems
- \* TruVote International
- \* Unisyn Voting Solutions

Nine voting systems were submitted for testing in FY 2007. More information about these voting systems, registered manufacturers, application and registration forms, and the EAC Voting System Testing and Certification Manual are available in the Voting Systems Center at [www.eac.gov](http://www.eac.gov).

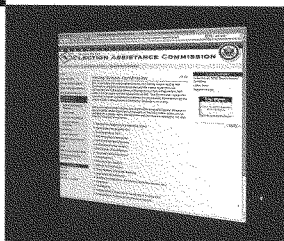
#### Accrediting Test Laboratories —

EAC's Partnership with the National Institute of Standards and Technology (NIST)

HAVA directs NIST to assist the EAC regarding the accreditation of voting system test laboratories through its National Voluntary Laboratory Accreditation Program (NVLAP). As part of its voting system program, NVLAP evaluates laboratories to determine their competence to test voting system hardware and software for conformance to Federal standards. After the conclusion of the evaluations, NIST provides recommendations regarding laboratories that it deems qualified to test voting system hardware and software. After receiving the NIST recommendations, the EAC conducts a second review of the laboratories to address non-technical issues such as conflict of interest policies, organizational structure, and record keeping protocols. After the EAC

#### VOTING SYSTEM CERTIFICATION

The EAC is operating the Federal government's first Voting System Testing and Certification Program. Information about registered manufacturers, voting systems submitted for testing, application forms, and other information is available in the Voting System Certification section at [www.eac.gov](http://www.eac.gov).



review, the Commission votes regarding full accreditation. The EAC accredited iBeta Quality Assurance, SysTest Labs, and InfoGard in FY 2007. For more information about these test laboratories, visit [www.eac.gov](http://www.eac.gov). For more information about laboratories that have applied for accreditation and are currently being evaluated, visit [www.nist.vote.gov](http://www.nist.vote.gov).

#### *Interim Laboratory Accreditation Program*

EAC's interim laboratory accreditation program was put in place until NIST delivered its first list of recommended labs for the full accreditation program. At a public meeting in August 2005, the EAC announced that the three test labs — CIBER, Incorporated, SysTest Labs, and Wyle Laboratories — that conducted testing for NASED would be allowed to apply for interim accreditation. SysTest Labs, and Wyle Laboratories received interim accreditation in 2006. At a public meeting in July 2007, the EAC voted to terminate CIBER's application due to CIBER's failure to notify the EAC of key staff changes, a requirement under EAC's interim program. Correspondence regarding this issue and CIBER assessment reports are available at [www.eac.gov](http://www.eac.gov). Labs that received interim accreditation were only qualified to test to 2002 voting system standards, not the 2005 VVSG. The interim program was terminated in March 2007 by a vote of the Commission.

#### **Voluntary Voting System Guidelines (VVSG)**

States are allowed to choose voting systems provided those systems meet the requirements of Section 301(a) of HAVA, which sets forth the requirements that all voting systems used in Federal elections must meet. HAVA instructs the EAC to adopt the *FFSG*, which the states may use when determining which voting systems to use in their respective jurisdictions.

The *FFSG* provide a set of specifications and requirements against which voting systems can be

tested to determine if they provide all the basic functionality, accessibility, and security capabilities required of voting systems. According to HAVA, adoption of the *FFSG* or participation in EAC's certification program at the state level is voluntary. However, states may formally adopt the *FFSG*, making these guidelines mandatory in their jurisdictions.

The process for creating and adopting the *FFSG* is described in Section 221 of HAVA. The TGDCC, working with NIST, provides an initial set of recommended guidelines to the EAC. The EAC reviews the recommendations and the Commission adopts a final version.

#### **The 2005 Voluntary Voting System Guidelines**

In December 2005, a major goal of HAVA was reached with the unanimous adoption of the *FFSG*, which significantly increased security requirements for voting systems and expanded access, including opportunities for individuals with disabilities to vote privately and independently.

Before the adoption of the *FFSG*, the EAC conducted a thorough and transparent public comment process. After conducting an initial review of the draft *FFSG*, the EAC released the two-volume proposed guidelines for a 90-day public comment period; during this period, the EAC received more than 6,000 comments. Each comment was reviewed and considered before final adoption. The Commission also held public hearings about the *FFSG* in New York City, Pasadena, CA, and Denver, CO.

Volume I of the *FFSG, Voting System Performance Guidelines*, includes requirements for accessibility, usability, voting system software distribution, system setup validation, and wireless communications. It provides an overview of the requirements for independent verification systems, including requirements for a voter-verified paper audit trail for states that require this feature for their voting systems. Volume I also includes the requirement that all voting system

vendors submit software to the National Software Reference Library, which will allow local election officials to make sure the voting system software they purchased is the same software that was certified.

Volume II of the *FFSG, National Certification Testing Guidelines*, describes the components of the certification process for voting systems, which is performed by voting system test labs accredited by the EAC. The 2005 *FFSG* and the comments received from the public about the guidelines are available at [www.eac.gov](http://www.eac.gov).

#### The Next Iteration of the Voluntary Voting System Guidelines

The EAC received recommendations for the next iteration of the *FFSG* from the TGDC in August 2007. The TGDC recommended guidelines are a complete re-write of the 2005 *FFSG*, intended to address the next generation of voting systems. These guidelines contain new and expanded material in the areas of reliability and quality, usability

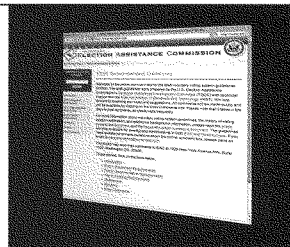
and accessibility, security, and testing. They require software independence, a concept created for the purposes of the TGDC draft as a high level security requirement for all voting systems. According to the draft guidelines, software independence can be achieved through the use of independent voter verifiable records (IVVR) or through the innovation class. Additionally, the TGDC draft recommends open-ended vulnerability testing (OEVT), a testing method designed to bring greater security to voting systems in the polling place.

To ensure maximum public input and participation, the Commission established a four-phase process leading to the adoption of a final version. The process includes two 120-day public comment periods.

The TGDC recommended guidelines and the public comment tool are available at [www.eac.gov](http://www.eac.gov). In addition to reviewing the TGDC recommendations and providing input, the public can also view all comments that have been submitted.

#### PUBLIC COMMENT TOOL

The online comment tool for the draft voluntary voting system guidelines (VMSG) is available at [www.eac.gov](http://www.eac.gov). The draft guidelines were prepared by the U.S. Election Assistance Commission's Technical Guidelines Development Committee (TGDC) with technical support from the National Institute of Standards and Technology (NIST). All comments will be made public and will be available by clicking on the View Comments link.





- ★ **Phase I** – The EAC submits the TGDC's draft document to the *Federal Register* and launches the first public comment phase with an online comment tool available at [www.eac.gov](http://www.eac.gov). The public comment period lasts for 120 days and all comments will be made public. Also during this phase the EAC will hold public meetings with stakeholders to discuss the proposed guidelines.
- ★ **Phase II** – The EAC will collect and review all public comments submitted about the TGDC draft. After consideration of all public comments, the EAC will perform an internal review of the draft guidelines.
- ★ **Phase III** – Based upon public comments and internal review of the TGDC recommended guidelines, the EAC will develop and publish its draft version in the *Federal Register*. The public will have another 120 days to comment on the EAC draft version. The EAC will conduct public meetings about its draft version.
- ★ **Phase IV** – The EAC will collect and review all public comments and make final modifications. The final version of the VPSG will be adopted by a vote of the Commission at a public meeting and then published in the *Federal Register*.

#### History of Voting System Standards and Guidelines

Three iterations of voting system standards have been issued by the Federal government. The first set of standards was created in 1990 by the Federal Election Commission (FEC). The FEC updated the standards in 2002.

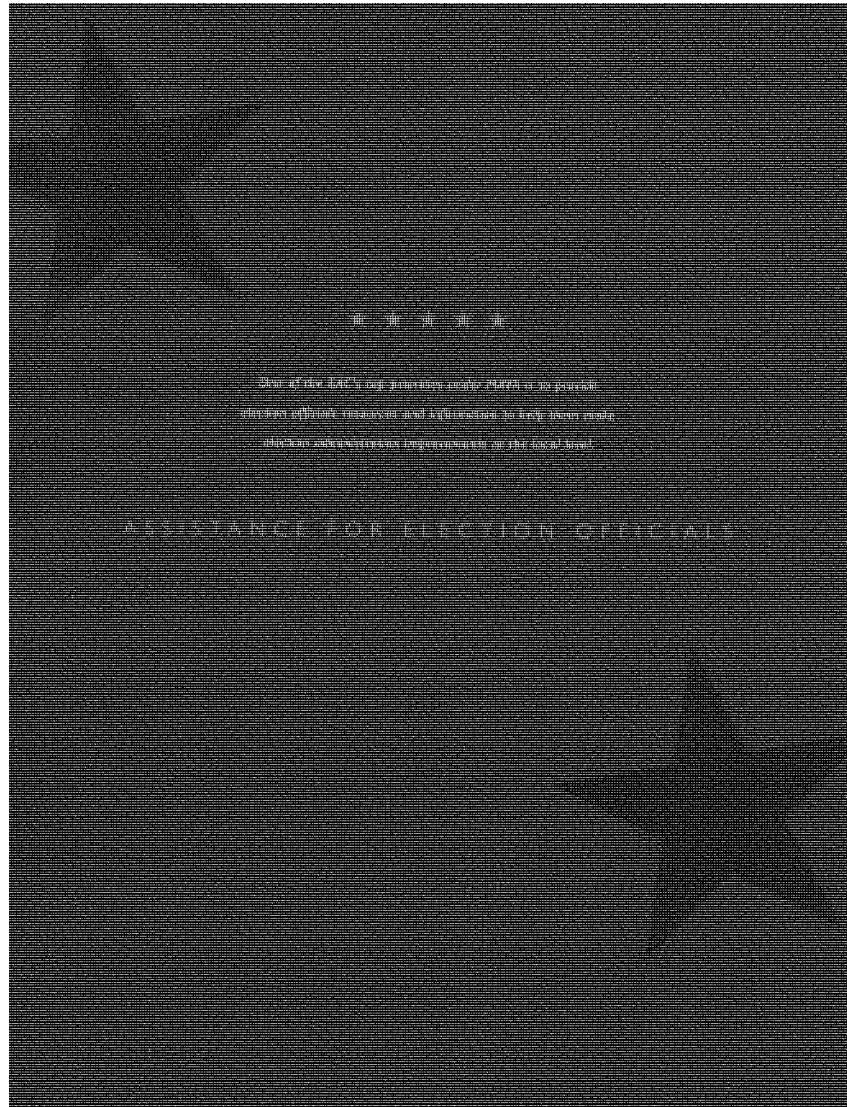
HAVA transferred the responsibility of developing voting system standards from the FEC to the EAC. In 2005, the EAC issued the third iteration, called the VPSG, in accordance with HAVA. These guidelines were developed by the TGDC and NIST.

#### History of Voting System Certification

The establishment of the EAC's Voting System Testing and Certification Program marks the first time the Federal government has tested voting systems. Previously, voting systems were tested by NASED, a nonpartisan, volunteer organization consisting of election directors. NASED began testing voting systems against FEC standards in 1994. NASED did not receive Federal funds or support to administer this program. Approximately 39 states participated in NASED's program.

#### Keeping the Public and Election Officials Informed

The Federal government's new involvement in the testing and certification of voting equipment includes an obligation to notify the public and election officials about related activities and program updates. The EAC has made it a practice to post information about the program frequently. By visiting [www.eac.gov](http://www.eac.gov), the public can see the list of registered voting system manufacturers and copies of their agreement letters, voting systems currently being tested, and a list of accredited laboratories. The EAC has also posted frequent updates such as interpretations, notices of clarifications, notices of non-compliance, and correspondence between the EAC and program participants. The public also receives notification when new information or updates are posted regarding the Voting System Testing and Certification Program.



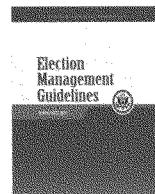
## ASSISTANCE FOR ELECTION OFFICIALS

One of the EAC's top priorities under HAVA is to provide election officials resources and information to help them make election administration improvements at the local level. The EAC has already produced many of these materials, including best practices, studies and reports, and information about the proper use of HAVA funds. However, the commission discovered that many election officials were not aware that this information was available. Consequently, a major goal of the EAC's newly designed Web site was to create a support center for election officials where they could easily access the resources the EAC has produced for their use and consideration. The Election Official Center on the Web site contains information about managing and reporting HAVA funds, including sample forms to further assist election officials. Also within the Election Official Center are audit resolutions, advisories and guidance, best practices, research results, and other resources. The EAC will continue its efforts to build upon this central resource of information about election administration for election officials.

### Election Management Guidelines

In 2006, the EAC launched its Election Management Guidelines project, which was created to provide resources and information about effective election administration management procedures. The EAC issued Quick Start Management guides on

introducing new voting systems; ballot preparation and pre-election testing; voting system security; and poll workers. The EAC distributed this information to more than 6,000 election officials throughout the nation. The guides, created in collaboration with experienced election officials, proved to be very popular in the election community, especially in jurisdictions that do not have adequate resources to produce or distribute training materials. Building on the success of the election management materials, in FY 2007 the EAC issued the first three chapters of its Election Management Guidelines, covering voting system certification, voting system security, and physical security for voting systems. The EAC also issued a Quick Start guide about voting system certification. Again, the EAC distributed this information to election officials throughout the nation. The next Quick Start Management guides to be issued will



cover acceptance testing; absentee voting and vote by mail; contingency and disaster planning; media and public relations; managing change; and polling places and vote centers. The Election Management Guidelines and all Quick Start Management guides are available in the Election Official Center at [www.eac.gov](http://www.eac.gov).

#### **Poll Worker Recruitment, Training, and Retention Guidebook**

HAVA mandates that the EAC study methods to recruit, train, and retain poll workers to address the nationwide shortage of poll workers. In FY 2007, the EAC issued *Successful Practices for Poll Worker Recruitment, Training and Retention*, a guidebook designed to assist election officials in their efforts to find and keep poll workers. The guidebook was the culmination of a 15-month development process including working groups and focus groups and input from veteran poll workers. Before the guidelines were adopted, they were pilot-tested at six sites during the 2006 election. The EAC also issued a state-by-state compendium of state laws governing poll workers. The *Successful Practices for Poll Worker Recruitment, Training and Retention* and the compendium of state laws are available in the Election Official Center at [www.eac.gov](http://www.eac.gov).

#### **College Poll Worker Recruitment, Training, and Retention Guidebook**

In regard to HAVA sections 501 and 502, the EAC issued the *Guidebook for Recruiting College Poll Workers* to help election officials in their efforts to recruit the next generation of poll workers. The guidebook was created with input from election officials, veteran poll workers, and college students. It was field tested at three locations during the 2006 elections.

The EAC will continue to support efforts to recruit college students as poll workers. To date, the EAC has awarded \$927,000 in grants as part of the HAVA College Poll Worker Program. These grants were used to develop recruitment and training programs for college students to serve as poll workers and poll assistants. More information about the HAVA College Program and the *Guidebook for Recruiting College Poll Workers* are available in the Election Official Center at [www.eac.gov](http://www.eac.gov).

#### **Effective Designs for the Administration of Federal Elections**

Section 241(b) of HAVA recommends the study of ballot designs for elections for Federal offices. In FY 2007 the EAC issued *Effective Designs for the Administration of Federal Elections* to help facilitate the administration of elections and increase the accessibility of election materials for voters and election officials. The report contains best practices suggestions on the design of voter information, optical scan ballots and direct recording electronic (DRE) ballots based on legislative guidelines, information design principles and user centered research. It was developed using input from election officials, literacy and disability experts, and voters. The following best practices in design were taken into consideration: literacy, readability, usability, alternate languages, Braille, audio accessibility, and compliance with the Americans with Disabilities Act of 1990 (ADA). The report is available in the Election Official Center at [www.eac.gov](http://www.eac.gov).

## EFFECTIVE DESIGNS FOR THE ADMINISTRATION OF FEDERAL ELECTIONS

# vote here vote aquí

## Voting Instructions Instrucciones para votar

**1. General voting rules**  
 1. All voters must be registered to vote.  
 2. Voters must be at least 18 years old on Election Day.  
 3. Voters must be U.S. citizens.  
 4. Voters must be residents of the state in which they are voting.  
 5. Voters must be residents of the precinct in which they are voting.  
 6. Voters must be present at the polls on Election Day.  
 7. Voters must vote in person at the polls.  
 8. Voters must vote in the correct precinct.  
 9. Voters must vote in the correct language.  
 10. Voters must vote in the correct order.

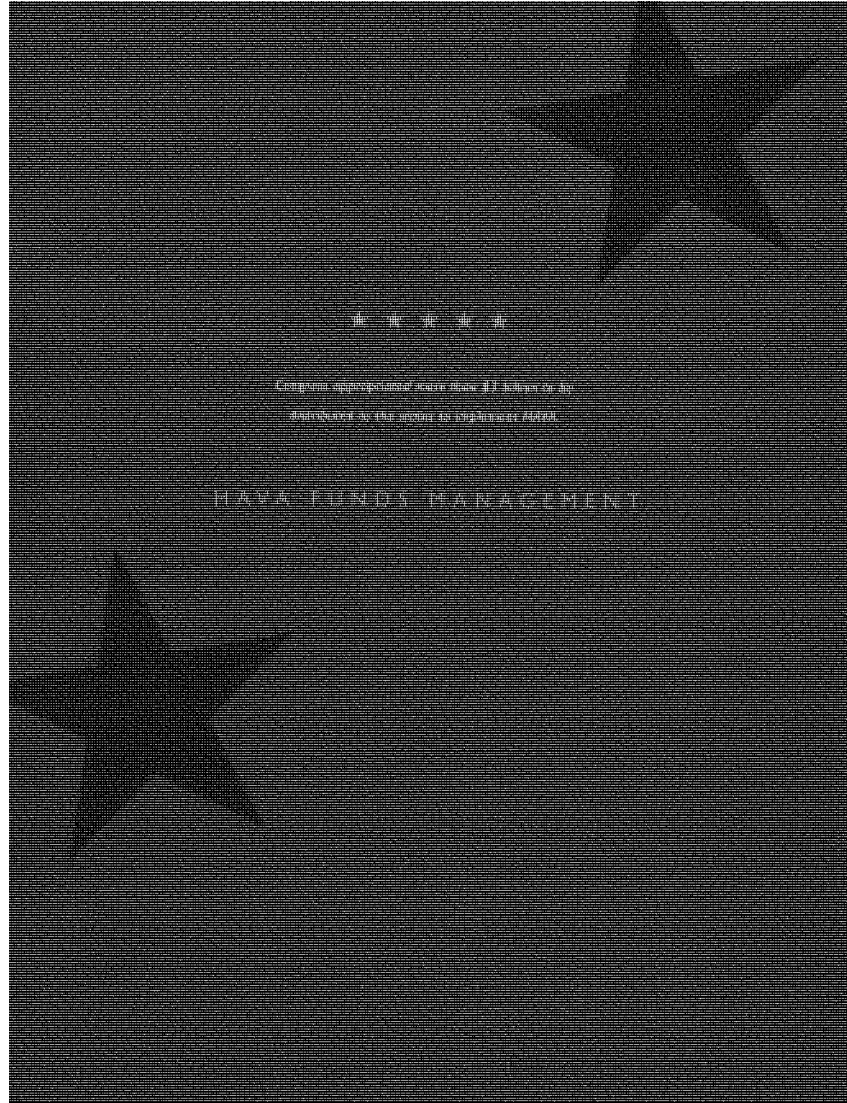
**2. How to vote**  
 1. Insert your ballot into the slot.  
 2. Mark your ballot with a clear, dark mark.  
 3. Fold your ballot in half.  
 4. Place your ballot in the ballot box.

## Special voting rules 特殊投票規則

**1. Rules for voters who registered by mail**  
 1. Voters who have registered to vote by mail must follow the instructions on the ballot.  
 2. Voters who have registered to vote by mail must return the ballot by the deadline.  
 3. Voters who have registered to vote by mail must use the correct envelope.  
 4. Voters who have registered to vote by mail must sign the envelope.  
 5. Voters who have registered to vote by mail must place the ballot in the envelope.  
 6. Voters who have registered to vote by mail must return the envelope to the correct address.

**2. Voting by provisional ballot**  
 1. Voters who are not registered in the precinct may vote by provisional ballot.  
 2. Voters who are not registered in the precinct must follow the instructions on the ballot.  
 3. Voters who are not registered in the precinct must return the ballot by the deadline.  
 4. Voters who are not registered in the precinct must use the correct envelope.  
 5. Voters who are not registered in the precinct must sign the envelope.  
 6. Voters who are not registered in the precinct must place the ballot in the envelope.  
 7. Voters who are not registered in the precinct must return the envelope to the correct address.

**After the polls close**  
 1. Your ballot will be counted if you followed the instructions.  
 2. Your ballot will be rejected if you did not follow the instructions.  
 3. If your ballot is rejected, you may request a new ballot.  
 4. If your ballot is rejected, you may request a new ballot.



## HAVA FUNDS MANAGEMENT

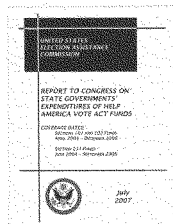
Congress appropriated more than \$3 billion to be distributed to the states to implement HAVA; most of that money goes toward Title II, Section 251 payments, also known as requirements payments. These funds primarily help states meet the uniform and nondiscriminatory election technology and administration requirements of Title III of HAVA. These requirements include voting system standards, provisional voting, voting information requirements, a computerized statewide voter registration list, and identification requirements for first-time voters who register to vote by mail. All of the appropriated funds have been disbursed to the states. States are required to submit annual reports regarding the HAVA funds they received, and the EAC is responsible for ensuring the proper use of HAVA funds.

#### Report on HAVA Spending by the States

In July 2007, the EAC delivered a report to Congress on the expenditure of HAVA funds by state governments. The report covered election reform payments spent (including obligated funds) by states under HAVA sections 101 and 102 through December 31, 2006 and under Section 251 through September 30, 2006. States received approximately \$3 billion under these three sections of HAVA. The EAC reported that states have spent 60 percent (\$1,781,943,111) of HAVA funds received – leaving more than \$1.3 billion available for additional

improvements in election administration. According to HAVA, most of these funds are not limited to use within a specific fiscal year. The EAC also reported that of the funds expended:

- 76 percent was used to purchase or upgrade voting systems and implement statewide voter registration databases as required by HAVA
- 16 percent was used to improve the administration of elections for Federal office
- 8 percent was not classified by the state recipients
- Less than one-tenth of one percent was used to implement provisional voting and polling place signage requirements



#### Allowable Uses of HAVA Funds

- \* **Section 101 Funds** - may be used to comply with the requirements of HAVA Title III for uniform and nondiscriminatory election technology and administration requirements; improve the administration of elections for Federal office; educate voters; train election officials, poll workers and volunteers; develop a state plan; and toll-free voter information hotlines.
- \* **Section 102 Funds** - may be used only to replace punch card and lever voting systems that were in use during the November 2000 general Federal election.
- \* **Section 251 Funds** - may be used to implement provisional voting; provide information to voters on Election Day; procure voting systems; implement a statewide voter registration database; implement identification requirements for first-time voters who register to vote by mail; and other activities to improve the administration of elections for Federal office.

States also received funds under Section 261 of HAVA to address the accessibility of polling places for individuals with disabilities. The EAC's report does not include information about the expenditure of these funds because they are administered by the U.S. Department of Health and Human Services. The HAVA spending report is available at [www.eac.gov](http://www.eac.gov).

#### Assistance for Tracking and Reporting HAVA Expenditures

As the EAC worked with election officials regarding the proper use of HAVA funds, it became apparent that the EAC needed to focus more time and effort to provide clear direction and resources about reporting requirements as well as how the funds could be used. To further assist election officials,

staff from the EAC HAVA funds management program and the Inspector General's office teamed up to provide training at the Winter Conference of the National Association of Secretaries of State. Topics included an overview of how HAVA funds could be used, reporting deadlines, and other issues such as how to comply with maintenance of effort requirements, and proper record keeping procedures.

#### Funding Advisories

To address funding issues that frequently required clarification, the EAC issued three funding advisories in FY 2007.

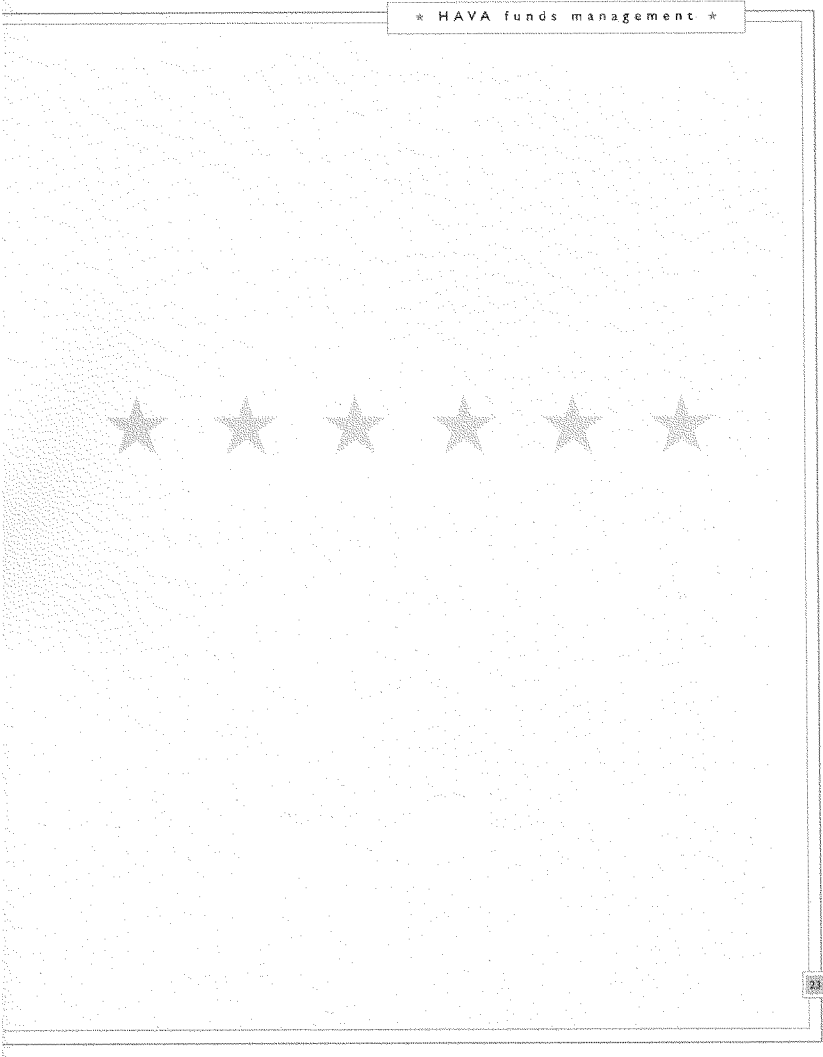
- \* Advisory 2007-003-A: Maintenance of Effort Funding
- \* Advisory 2007-003: Maintenance of Effort Funding
- \* Advisory 2007-002: Program Income and Set-off of Cost Incident to Program Income

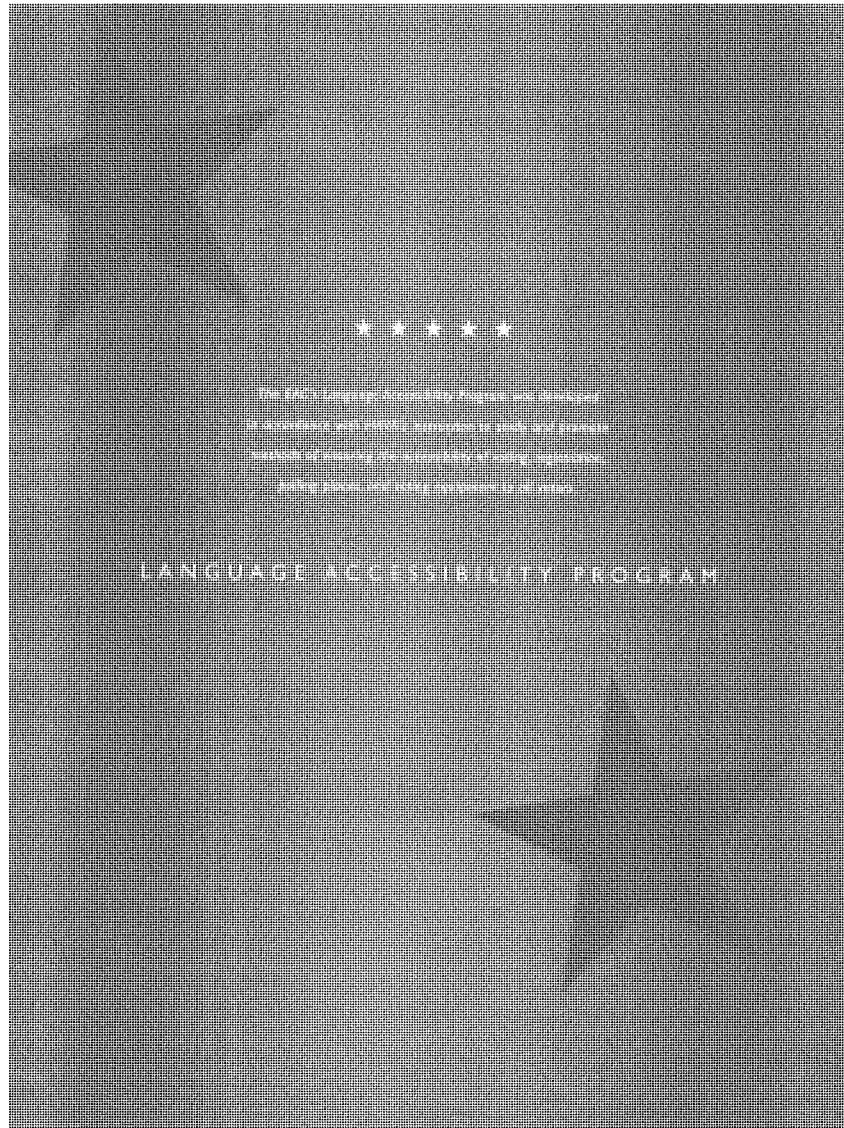
Funding advisories, reporting schedules, model reporting forms, model narratives, and EAC funding advisories are available in the Election Official Center on the EAC Web site. Also available in the Election Official Center is a HAVA funding Frequently Asked Questions document that is updated regularly.

#### Audits

The EAC monitors the fiscally responsible use of HAVA funding. To fulfill this responsibility, the EAC's Inspector General conducts periodic fiscal audits of state HAVA fund expenditures, and the EAC issues final resolutions regarding proper use. In FY 2007, the EAC executive director issued 26 audit resolutions -- nine of these were resolutions to Inspector General audits, and 17 pertained to single audits conducted by states. The Single Audit Act mandates that each state conduct an annual review of all Federal funding, including HAVA funds. All audits and resolutions are available at [www.eac.gov](http://www.eac.gov).







## LANGUAGE ACCESSIBILITY PROGRAM

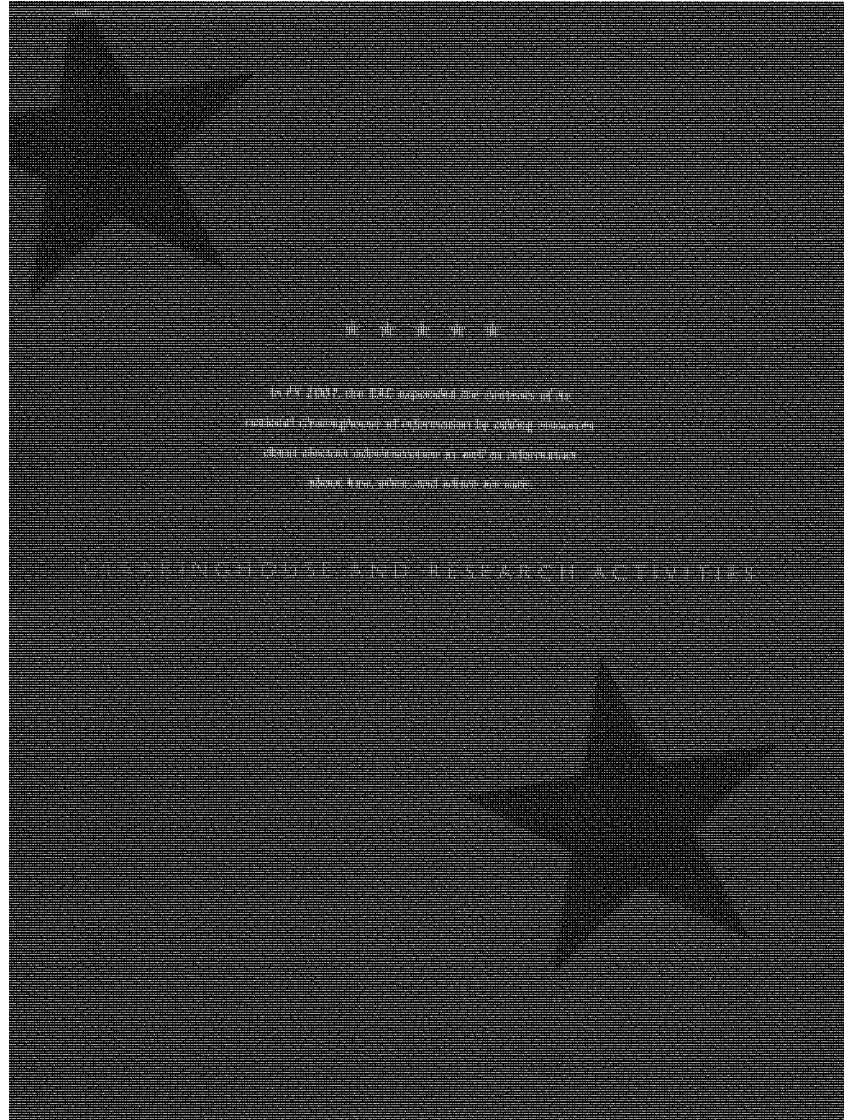
The EAC's Language Accessibility Program was developed in accordance with HAVA's instruction to study and promote methods of ensuring the accessibility of voting, registration, polling places, and voting equipment to all voters, including Native American and Alaska Native citizens and voters with limited proficiency in the English language. These provisions also charge the EAC with examining the technical feasibility of providing voting materials in eight or more languages for voters who speak those languages and who have limited English proficiency.

### Spanish Glossary of Key Election Terminology

In April at a public meeting in Kansas City, the Commission adopted the *Spanish Language Glossary of Key Election Terminology*, the first project completed under the Language Accessibility Program. The glossary, last updated in 1979, provides a translation of key election terms from English to Spanish and from Spanish to English. It contains 1,843 terms and phrases used in the administration of elections in the United States. To ensure the translations were culturally and linguistically appropriate, terms were translated and reviewed by a multi-dialect team of translators representing four of the main regions of origin of the Hispanic population living in the U.S. Those regions are Mexico, Puerto Rico, Cuba, and Central America.

The Language Accessibility Program consists of working groups comprised of local election officials, Congressional staff, national advocacy groups, and research and public policy organizations to assist the Commission on how to best meet language accessibility requirements. For more information and to view the Spanish Language Glossary of Key Election Terminology, visit [www.eac.gov](http://www.eac.gov).





## CLEARINGHOUSE AND RESEARCH ACTIVITIES

The EAC is instructed by HAVA to collect data about election administration and share the data with election officials to help them make decisions at the local level. In FY 2007, the EAC expanded the contents of its national clearinghouse by adding resources about election administration as well as information about how, when, and where we vote. New information and updates about the Voting System Testing and Certification Program, best practices in election administration, and the proper use of HAVA funds were made available to the public, election officials, and the media via the Web site and through e-mail distribution. In addition to completing the research mandated by HAVA, the EAC also launched other initiatives to serve as a central resource about elections.

Several of the EAC's research projects received intense scrutiny during FY 2007, prompting Freedom of Information Act (FOIA) requests and Congressional and media inquiries. Most of the scrutiny was focused on the EAC's 2006 Election Crimes Report: An Initial Review for Further Study. The Commission provided Congress more than 40,000 pages of documents relating to this project and voted to release all materials to the public. EAC Chair Davidson also asked the EAC's Inspector General to review the process surrounding this project. Documents provided to Congress, Congressional correspondence and other related materials are available in the EAC's electronic FOIA Reading Room at [www.eac.gov](http://www.eac.gov).

### Voting System Reports Clearinghouse

Public interest in voting systems continues to rise, and the EAC receives many requests for information and reports generated about voting systems that were tested by NASED. As part of the EAC's clearinghouse responsibilities under Section 202 of HAVA, the Commission explored how best to gather and provide this information in recognition of the need to provide historical data in a central location to both the public and election officials. In August, the Commission adopted a policy authorizing the EAC staff to post and distribute reports about voting systems generated or commissioned by state and/or local election officials.

To be considered for posting on the EAC Web site, a state or local government must submit the report to the EAC chair or executive director and certify that the report reflects their experience operating voting systems or implementing EAC's FTSG. The Voting System Reports Clearinghouse and the policy are available at [www.eac.gov](http://www.eac.gov).



#### The 2006 Uniformed and Overseas Citizens Absentee Voting Act Survey

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) of 1986 (42 U.S.C. 1973ff) protects the voting rights of members of the Uniformed Services (on active duty), members of the Merchant Marine and their eligible dependents, Commissioned Corps of the Public Health Service, Commissioned Corps of the National Oceanic and Atmospheric Administration, and U.S. citizens residing outside the United States. UOCAVA requires states/territories to allow these citizens to register and vote in elections for Federal office using absentee procedures.

HAVA mandates that for each regularly scheduled general election for Federal office, the states shall provide the EAC with data about all of the ballots sent and received by UOCAVA voters. In 2004, the EAC developed a survey instrument and distributed it to the states to collect statistics on UOCAVA voters from the November 2, 2004, presidential election. During the lengthy process of collecting the data, it was determined that many states and local jurisdictions did not track the specific data required by HAVA; they also stored the requested statistics in various formats, resulting in some gaps in the UOCAVA data collected by the EAC.

Efforts aimed at educating states and their local election authorities about HAVA requirements regarding UOCAVA was an integral part of the process in designing the 2006 survey instrument. In the early spring of 2006, the EAC conducted a working group meeting of state and local election officials and other experts to fine-tune the UOCAVA and the Election Administration and Voting survey instruments. Representatives from the elections community, along with various organizations that use UOCAVA survey data, shared their suggestions for improving the format and administration of the surveys. The EAC also received input from its Board of Advisors and Standards Board.

Ultimately, in addition to making language improvements, the EAC combined the UOCAVA questions into its 2006 Election Administration and Voting Survey, making it easier for election officials to provide the information required by HAVA.

#### Key Findings of the 2006 UOCAVA Survey

- At least 992,034 UOCAVA ballots were requested
- Slightly more than 330,000 ballots were cast or counted
- More than 70 percent of UOCAVA ballots reported not counted was because these ballots were returned to local election offices as undeliverable
- 56.3 percent of ballots from domestic military voters were cast or counted; 47.6 percent of ballots from overseas military voters were cast or counted; and 52.6 percent of ballots from overseas citizens were cast or counted
- 26.5 percent of UOCAVA ballots came from domestic military voters; 16.9 percent from overseas military voters; and 19.7 from overseas citizens
- Approximately one-third of the cast or counted ballots were uncategorized by the states (The "cast or counted" category was created because not all states track ballots cast and ballots counted separately.)

Response rates from states and local jurisdictions varied. For instance, of 3,123 possible jurisdictions, 54 percent provided information on the number of domestic military absentee ballots cast or counted, while 62 percent provided information on the number of overseas military absentee ballots cast or counted. Generally, more jurisdictions tracked information on overseas voters than domestic military voters.

#### *EAC Recommendations to Improve the Process for UOCAVA Voters*

- ★ Redouble EAC efforts to collect the HAVA-mandated information
- ★ Increase efforts to make sure overseas voters are aware of their voting rights
- ★ Work in partnership with the Federal Voting Assistance Program to develop best practices and programs to encourage participation among UOCAVA voters
- ★ Consider legal changes and new technologies to overcome barriers faced by UOCAVA voters
- ★ Establish a mechanism whereby a military transfer generates a move notice to the local registrar

In FY 2007, the EAC added resources to its UOCAVA section of the Web site, including links to the voter resource Web site for every branch of the military, as well as links to information provided by election officials.

#### **2005-2006 National Voter Registration Act Survey**

HAVA mandates that the EAC submit a report to Congress every two years on the impact of the NVRA on the administration of federal elections. In June, the Commission delivered to Congress its 2005-2006 NVRA report, which covered registration information from after the 2004 presidential election through the 2006 general election. The report and the data tables are available at [www.eac.gov](http://www.eac.gov).

#### **Key Findings of the 2005-2006 NVRA Report**

- In 2006, there were 172,810,006 registered voters in the United States
- Between 2004 and 2006, 31 states and 1 territory reported decreases in voter registration; 16 states and 1 territory reported increases
- Between 2004 and 2006, states reported nearly

36.3 million voter applications processed, and nearly 17.3 million applications were valid new registrations

- Motor vehicle agencies accounted for more than 45 percent of all registration applications received nationwide
- Between 2004 and 2006, nearly 13 million names were removed from voter lists under the NVRA list verification procedures

The report was based on information provided by 50 states, the District of Columbia, and two territories, representing 2,978 out of a total 3,524 jurisdictions.

The 2005-2006 NVRA report included EAC recommendations to improve the collection of these data. Recommendations included: continue to improve and modernize list maintenance systems; develop databases that can track a registrant's voting and registration history; and train all state agencies involved in voter registration.

#### **Election Crimes: A Initial Review and Recommendations for Further Study**

Section 241 of HAVA calls on the EAC to research and study various issues related to the administration of elections, including voting fraud and voter intimidation. In 2005, the EAC hired two contract employees and charged them with (1) researching the current state of information on the topic of voting fraud and voter intimidation, (2) developing a uniform definition of voting fraud and voter intimidation, and (3) proposing recommended strategies for researching this subject. Between May and July 2006, the contractors provided a series of documents in response to the EAC's charge. At a public meeting in December 2006, the Commission unanimously adopted *Election Crimes: An Initial Review and Recommendations for Further Study*. The Commission adopted four of the contractors' recommendations and agreed to conduct a comprehensive survey and

subsequent study of voting fraud and voter intimidation. The EAC's Election Crimes report is available in the Reports, Research, and Resources section at [www.eac.gov](http://www.eac.gov). Materials submitted by the consultants are available on the EAC Web site in the FOIA Reading Room.

#### Research Projects Under Way in FY 2007

The EAC has embarked on several research projects regarding a wide range of election administration topics. The following research projects currently under way were driven by the requirements of HAVA and also were in response to requests from election officials. Upon completion, all projects will be available at [www.eac.gov](http://www.eac.gov).

#### Uniformed and Overseas Citizens Absentee Voting Act

Section 245 of HAVA requires the EAC to study the challenges of incorporating Internet technologies into the Federal, state, and local electoral process—specifically, issues pertaining to electronically generated messages that permit eligible voters to apply for and vote an absentee ballot. Electronic transmission of voting materials makes the voting process easier for people covered by UOCAVA because they face greater constraints when voting absentee. Currently, no states have Internet-based registration or voting systems, but many use facsimile (fax) transmission and several use electronic mail (e-mail) for UOCAVA voters.

To fulfill Section 245 requirements, the EAC researched and documented current and potential electronic ballot transmission to and from UOCAVA voters. The project had three components: (1) compile case studies of four States that allow some electronic transmission of voting materials; (2) conduct a survey of UOCAVA voters about their electronically transmitted voting experience and preferences; and

(3) hold a conference to examine the use of technology for UOCAVA voters.

The case studies were conducted in Illinois, Florida, South Carolina, and Montana, and topics included each state's experience with electronic transmission of voting materials, implementation challenges, and election official perspectives. The case studies will be distributed in early 2008.

The EAC distributed a survey to more than 5,000 UOCAVA voters both in the U.S. and abroad to assess their perception of the voting process, including how they obtain and cast ballots and other concerns such as privacy and security. The results of the survey will be distributed in early 2008.

In addition to the data gathered from the case studies and the survey of UOCAVA voters, the EAC held a conference in September 2007 to discuss preliminary findings with 43 state and local election officials, Department of Defense representatives, and organizations representing overseas citizens. The culmination of these research efforts will be a set of best practices about how to effectively and efficiently serve UOCAVA voters.

#### 2006 Election Administration and Voting Survey

Section 241 of HAVA requires the EAC to study and report on election activities, practices, policies, and procedures, including methods of voter registration, methods of conducting provisional voting, poll worker recruitment and training, and other matters the Commission determines are appropriate. The 2006 Election Administration and Voting Survey used an online Web survey instrument to collect key data from the mid-term November 2006 elections. Topics included registered voters; ballots cast and counted; voter registration and identification procedures; and information related to UOCAVA voters. The survey results will be available at [www.eac.gov](http://www.eac.gov).



**First-Time Voters Study**

The first-time voters study will support conducting up to nine case studies and a series of focus groups designed to better understand the impact of various voter registration processes and procedures on first time voters who have registered to vote by mail. Based on the study findings, the EAC will develop a set of best practices regarding how to best serve these voters. It is also anticipated that the reliability and accuracy of certain registration procedures that serve first time voters will be examined and evaluated.

**Voter Hotlines Study**

This study will report on the current state-of-the-art in voter information hotlines that are operated by government agencies and election offices. The report will describe the scope and nature of these hotlines, the technological features, a description of the types of calls received, and the costs associated with operating hotlines. The findings will provide election officials with valuable information about the components of successful voter hotlines.

**Free Absentee Ballot Return Postage Study**

Section 246 of HAVA requires that the EAC study and compile a report about free absentee ballot postage. The EAC study will assess the feasibility of establishing free and/or reduced cost postage for returning absentee ballots. A survey of registered voters will be conducted and three focus groups will be convened to explore the issues that may affect voters who might benefit from free and/or reduced postage costs. The survey of registered voters, along with the findings of the focus groups, will result in reports presented to the EAC. These reports, along with presentations by officials from the U.S. Postal Service and state and local election officials, will form the basis of an EAC public hearing on the topic of "the advisability and feasibility of imple-

menting a free and/or reduced cost absentee ballot postage program."

**Alternative Voting Methods Study**

In accordance with Section 241(b)(10) of HAVA, the EAC will collect information through a series of case studies on states' and jurisdictions' experiences conducting Federal elections on different days, in different places, and at different hours. In addition to writing these case studies, the EAC will also survey voters to gain a better understanding of their motivations and perceptions of the impediments to voting.

**Implementation of Statewide Voter Registration Databases**

The EAC has contracted with The National Academy of Sciences (NAS) to study the implementation of the HAVA-required statewide voter registration databases. The Academy will conduct a series of roundtable discussions and forums over a three-year period focusing on topics such as inter- and intra-state interoperability, matching protocols, and security and privacy issues. These roundtables will culminate in a report describing the problems, challenges, and possible solutions to these assorted issues. The Academy's work will continue into a second phase in which its expert panel/peer review committee will consider the findings of these discussions and continue to work with state election officials to share their experiences and concerns. At the contract's conclusion the Academy will present to the EAC a peer-reviewed report on the implementation of statewide voter registration databases.

**Vote Counts and Recounts**

Section 241(b)(13) of HAVA allows EAC to study the laws and procedures used by each state that govern recounts of ballots cast in elections for Federal office; contests of determinations regarding whether votes are counted in such elections; and standards

that define what will constitute a vote on each type of voting equipment used in the state to conduct elections for Federal office. Based upon this research, the EAC will distribute a set of best practices for both vote count and recount procedures as well as a summary of state legal requirements for what constitutes a vote, vote counting, and for contested Federal elections.

#### **Voter Information Web Sites**

In accordance with Section 245(a)(2)(C) of HAVA, the EAC is researching the possible impact new communications or Internet technology systems used in the electoral process could have on voter participation rates, voter education, and public accessibility. The EAC has collected data about existing voter information Web sites and convened a meeting with election officials, technology experts, and advocacy groups to gather input. The EAC anticipates issuing a set of best practices that will include information about how to set up and maintain effective and secure voter information Web sites.

#### **Legal Resources Clearinghouse**

The EAC is building a Web-based legal resources clearinghouse that will house a database containing statutes, regulations, and rules, as well as state and Federal court decisions that impact the administration of elections for Federal office under HAVA and/or the NVRA. It will provide election officials, state legislators, government officials, and the general public with a central location to conduct election administration research. The legal resources clearinghouse will be available at [www.eac.gov](http://www.eac.gov).

#### **Asian and Pacific Islander American Languages Working Group**

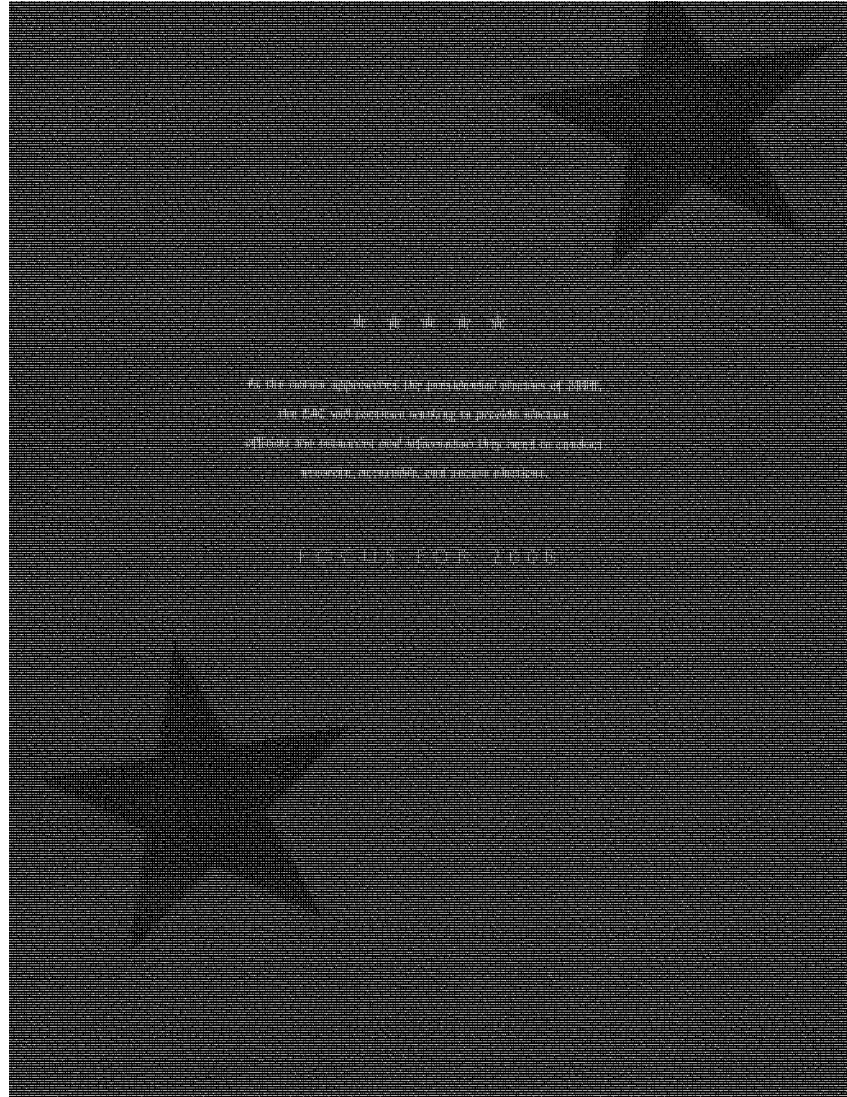
Section 241 of HAVA allows the EAC to carry out studies and other activities with the goal of promoting effective administration of Federal elections. Effective administration methods are to be the most convenient, accessible, and easy to use for voters, including voters with limited proficiency in the English language. Two of the election administration issues, (5) and (14), described for study in Section 241(b), directly refer to voters with limited proficiency in the English language. The former describes "methods of ensuring the accessibility of voting, registration, polling places, and voting equipment to all voters," including voters with limited proficiency in the English language. The latter describes the "technical feasibility of providing voting materials in eight or more languages for voters who speak those languages and who have limited English proficiency. HAVA also requires that voting systems provide alternative language accessibility pursuant to the requirements of Section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a).

In continuing the work started in FY 2005 for voters with limited English proficiency with the Spanish language working group, the EAC convened a working group of key individuals and organizations that understand issues central to how Asian and Pacific Islander Americans (APIA) interact with the entire voting process to provide guidance to the EAC as the Commission focuses on research under Sections 311, 312, and 241 of HAVA, as well as its NVRA responsibilities. The working group limited its focus to the Asian languages covered under section 203 of the Voting Rights Act—Chinese, Vietnamese, Korean, Tagalog, and Japanese.

## ★ clearinghouse and research activities ★

The working group will serve as a guiding panel for how works currently in progress impact Asian and Pacific Islander American communities. The group will assess the prospects of several language-specific projects that include the readability and usability of the National Mail Voter Registration form and the review of potential lists of translated election terms. The group will help the EAC identify best practices relating to methods of effective administration of Federal elections impacting the APIA language-speaking communities.





## FOCUS FOR 2008

**T**he EAC will adopt internal policies and procedures to ensure greater transparency and efficiency. The public will continue to be notified about the EAC's progress through announcements at public meetings, news and stakeholder updates, and information posted on a regular basis at [www.eac.gov](http://www.eac.gov). In 2008, the EAC will also focus on the following activities.

#### Preparing for the 2008 Election

As the nation approaches the presidential election of 2008, the EAC will continue working to provide election officials the resources and information they need to conduct accurate, accessible, and secure elections. The EAC will focus on its Voting System Testing and Certification Program, ensuring that the public and election officials are notified about all program updates. To further support election officials in their efforts to effectively administer elections, the EAC will issue more materials through its Election Management Guidelines program.

#### The Next Iteration of the Voluntary Voting System Guidelines

After the EAC receives public input on the TGDC recommended VVSG, the Commission will consider all comments submitted then issue another draft version for a 120-day public comment period. During the public comment period, the EAC will conduct public meetings to gather more input from the

public, election officials, manufacturers, test laboratories, the disability community, advocacy groups, and other experts. At the conclusion of the second 120-day public comment period, the EAC will consider all comments and work toward a final version, which will be adopted at a public meeting.

#### Clearinghouse Activities

In FY 2008, EAC will work to complete and distribute a number of HAVA-mandated studies on the following topics: the impact of free absentee ballot return postage on voter participation; electronic voting and UOCAVA voters; the feasibility of various alternative voting methods; the voting experiences of first-time voters who register by mail; and the feasibility and advisability of identifying voters by social security numbers. The results of these studies will be available at [www.eac.gov](http://www.eac.gov).

#### Effective Election Management Procedures

Secure, accurate, and accessible elections must be overseen by a comprehensive, thorough management process. The EAC will build upon its highly successful Election Management Guidelines Program by issuing nine new chapters:

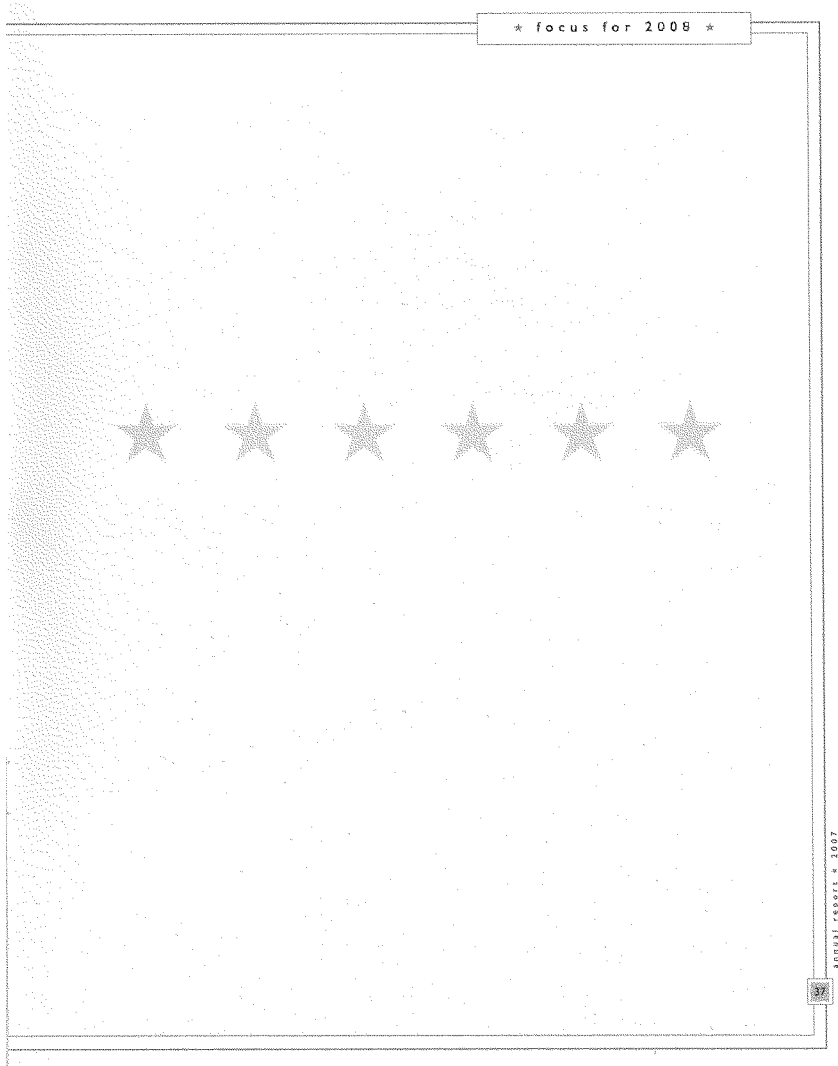
- Absentee Voting and Vote by Mail
- Acceptance Testing
- Ballot Design
- Contingency Planning and Change Management
- Developing an Audit Trail

- Language Accessibility
- Polling Place and Vote Center Management
- Pre-Election and Parallel Testing
- Uniformed and Overseas Citizens

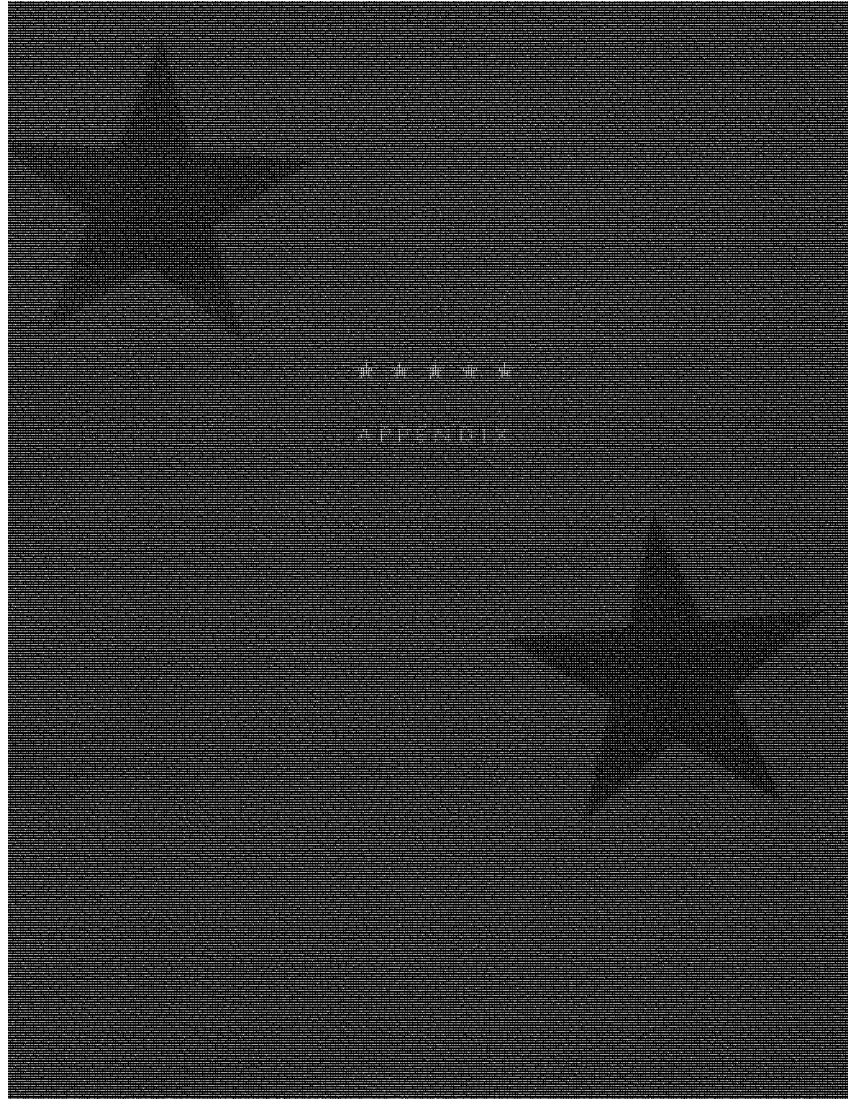
The EAC will also issue two more Quick Start Management guides about serving military and overseas citizens and developing an audit trail for the verification of votes. These materials will be sent to election officials throughout the nation and will also be available under the Election Official Center at [www.eac.gov](http://www.eac.gov).

#### **Language Accessibility Program**

Future activities include translating portions of the EAC Web site into Spanish and producing a glossary of election terms and the national voter registration form into Chinese, Japanese, Korean, Tagalog, and Vietnamese. The EAC will also establish the formation of working groups to address the election needs of Native Americans and Alaskan natives. The EAC will issue *A Voter's Guide to Federal Elections* in multiple languages. This publication will inform voters about the Federal election process, and provide information about voter registration, polling places, absentee ballots, provisional ballots, poll workers, and similar topics. This brochure will be available initially in English, Spanish, Chinese, Japanese, Korean, Tagalog, and Vietnamese; the EAC will also examine the feasibility of providing this information in audio format to Native American and Alaska Native voters.



\* focus for 2008 \*





## COMMISSIONERS' BIOGRAPHIES

*Rosemary E. Rodriguez, Chair*

Rosemary E. Rodriguez was nominated to the EAC by President Bush in 2006 and confirmed by the U.S. Senate on February 15, 2007. Ms. Rodriguez was elected Vice-Chair of the EAC on April 18, 2007. Her term of service extends through December 12, 2007.

Ms. Rodriguez comes to the EAC after three years on the Denver, Colorado City Council, where she served as its president from 2005 to 2006. She was director of Boards and Commissions for the mayor's office from 2002 to 2003 and a clerk and recorder for the City and County of Denver from 1997 to 2002. In 1997 she was acting director of the Denver Election Commission where she supervised city elections.

She has been active in numerous grass roots civic and voter advocacy organizations, including the Colorado Voter Initiative where she co-chaired a statewide initiative to allow Election Day voter registration. She was also a co-founder of the Latina Initiative, a voter registration project to register Latino voters and provide non-partisan election information to the Latino community.

*Caroline C. Hunter, Vice-Chair*

Caroline C. Hunter was nominated to the EAC by President Bush in 2006 and confirmed by the U.S. Senate on February 15, 2007. Her term of service extends through December 12, 2009. Ms. Hunter comes to the EAC having recently served as deputy director of the White House Office of Public Liaison from January to October 2006. From 2005 to 2006, she served as executive officer at the U.S. Department of Homeland Security, Office of Citizenship and Immigration Services Ombudsman. Prior to that, from 2001 to 2005 she was associate counsel and then deputy counsel at the Republican National Committee where she provided guidance on Election Law and the implementation of the Help America Vote Act.

Gracia M. Hillman



A Massachusetts native who first entered community service in 1970, Gracia Hillman has effectively handled both domestic and international issues throughout her career. Her areas of expertise include nonprofit management, public policy and program development, and the interests and rights of women and minorities, including voting rights. She has traveled extensively throughout the United States, meeting with national and local groups and businesses. Through her international work, Ms. Hillman has traveled in Africa, Asia, the Caribbean, and Europe. She conducted nonpartisan political training in Haiti and Kenya, and participated in United Nations sponsored conferences in Vienna, Beijing, and New York City.

Prior to her appointment with the EAC, Ms. Hillman served as President and Chief Executive Officer of WorldSpace Foundation, a nonprofit organization that uses digital satellite technology to deliver educational programming to Africa and Asia. She also served as the U.S. Department of State's first Senior Coordinator for International Women's Issues, developing agency-wide strategies to ensure U.S. foreign policy promoted and protected women's rights.

Her work experience includes having served as Executive Director of the League of Women Voters of the United States, the Congressional Black Caucus Foundation, and the National Coalition on Black Voter Participation. She also held positions as Executive Consultant to the Council on Foundations, and Coordinator of the Voter Law Policy Project for the Joint Center for Political and Economic Studies.

Throughout the 1980s, Ms. Hillman championed nonpartisan and bipartisan efforts to ensure open access to the voting process for all citizens and the continued voting rights of minority Americans, including work on the historic 25-year extension of the National Voting Rights Act. Her political experience includes paid and volunteer positions on numerous campaigns, including a role as Senior Advisor on Congressional and Constituent Relations for the 1988 Dukakis for President Campaign.

Ms. Hillman has one son and currently resides in Washington, DC.

## Donetta Davidson



Donetta Davidson was nominated by President George W. Bush and confirmed by unanimous consent of the U.S. Senate on July 28, 2005, to serve on the EAC. Her term of service extends through December 12, 2007. Ms. Davidson, formerly Colorado's secretary of state, comes to EAC with experience in almost every area of election administration—everything from county clerk to secretary of state.

Ms. Davidson began her career in election administration when she was elected in 1978 as the Bent County clerk and recorder in Las Animas, Colorado, a position she held until 1986. Later that year, she was appointed director of elections for the Colorado Department of State, where she supervised county clerks in all election

matters and assisted with recall issues for municipal, special district, and school district elections.

In 1994, she was elected Arapahoe County clerk and recorder and was reelected to a second term in 1998. The next year, Colorado Governor Bill Owens appointed Ms. Davidson as the Colorado secretary of state, and she was elected in 2000 and reelected in 2002 for a 4-year term.

She has served on the Federal Election Commission Advisory Panel and the board of directors of the Help America Vote Foundation. In 2005, Ms. Davidson was elected president of the National Association of Secretaries of State, and she is the former president of the National Association of State Elections Directors (NASSED). Prior to her EAC appointment, Ms. Davidson served on the EAC's Technical Guidelines Development Committee (TGDC).

In 2005, *Government Technology* magazine named Ms. Davidson one of its "Top 25: Dreamers, Doers, and Drivers" in recognition of her innovative approach to improve government services. She was also the 1993 recipient of the Henry Toll Fellowship of Council of State Governments.

Ms. Davidson has devoted much of her professional life to election administration, but her first love is her family. Ms. Davidson was born into a military family in Liberal, KS, and became a Coloradan shortly thereafter when her family moved first to Two Buttes then to Las Animas where they settled. Whenever possible Ms. Davidson spends time with her family—son Todd, daughter and son-in-law Trudie and Todd Berich, and granddaughters Brittany and Nicole.

## EXECUTIVE DIRECTOR'S BIOGRAPHY

## Thomas Wilkey

Tom Wilkey thought he had successfully retired when he stepped down as the executive director of the New York State Board of Elections in 2003. After all, he had observed his 34th year in election administration, working on everything from developing voting system standards to working to craft the most sweeping election reform in our nation's history.

Mr. Wilkey was the perfect candidate to become the first permanent executive director of the EAC, the Federal entity created by the law he helped craft, the Help America Vote Act (HAVA) of 2002.

Mr. Wilkey joined the Erie County Board of Elections (Buffalo, NY) in November 1968 as an elections clerk. He subsequently rose to the position of senior election deputy prior to joining the New York State Board of Elections in 1979 as public information officer.

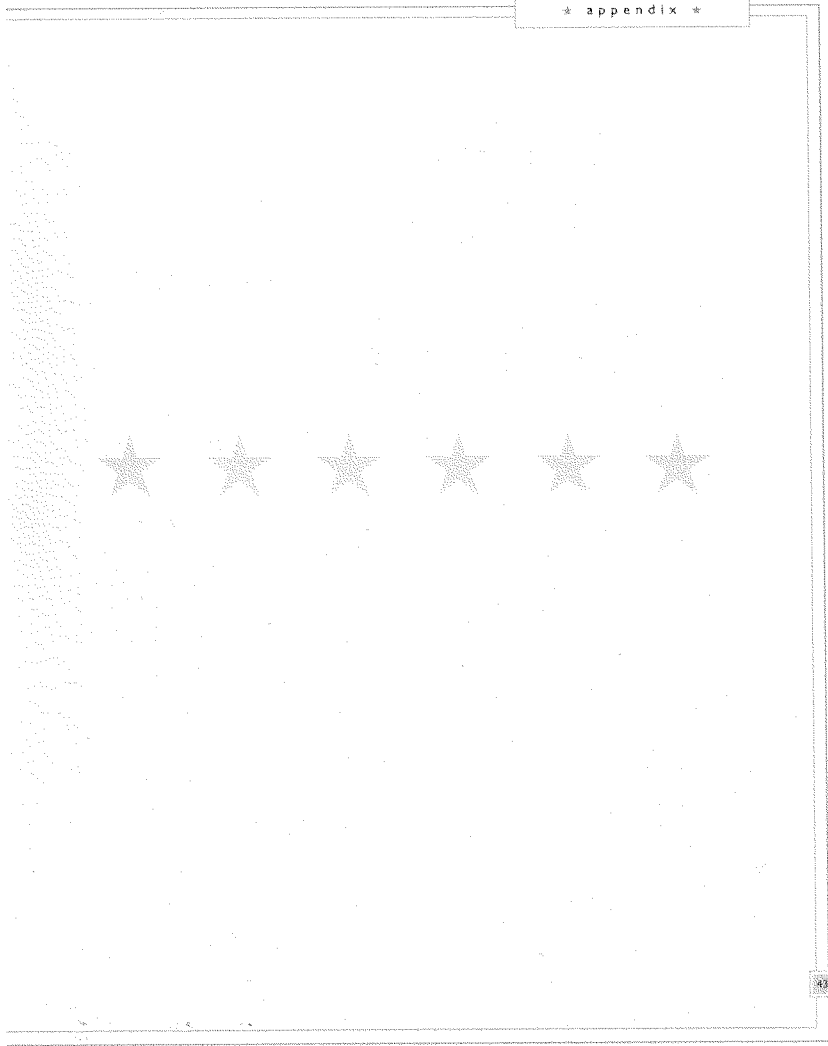
In 1985, he was promoted to the newly created position of director of election operations, which was formed to administer oversight of New York's 57 county boards. His responsibilities soon grew to include the creation and supervision of New York's voting systems certification program. Mr. Wilkey was appointed the second executive director of the New York State Board of Elections in June of 1992, a position he held until August 2003.

Mr. Wilkey was associated with the Federal Election Commission (FEC) for many years. In 1983, he served on the Voting Systems Standards Committee, which drafted and reviewed the FEC's Voting System Standards, a voluntary testing, qualification, and certification process used for all voting systems in the United States. In 1992, Mr. Wilkey was appointed to the FEC's Advisory Panel, which consisted of 20 State, county, and local election administrators. It advised the FEC on clearinghouse projects and allocation of funds for election administration projects.

An early proponent of the creation of the National Association of State Election Directors (NASSED), Mr. Wilkey has served as its secretary, treasurer, and vice president and was elected president for 1996-97. In January 1997, Mr. Wilkey was named chair of NASSED's Independent Test Authority Accreditation Board, which approved laboratories and technical groups for the testing of voting systems under NASSED's national accreditation program. He was reappointed as chair in February 2000.

Following the 2000 general election, Mr. Wilkey was named to several national commissions to study election reform, including those representing the National Association of Secretaries of State, National Association of Counties, Council of State Governments, and the Election Center. Beginning in May 2001, Mr. Wilkey was asked by the FEC to help draft revised Federal Voting System Standards, due for completion in April 2002. In addition, Mr. Wilkey was actively involved with the development of the Help America Vote Act of 2002, which Congress passed and the President signed into law in October 2002.

\* a p p e n d i x \*



## 2002 - EAC Board of Advisors List

Represented By	First Name	Last Name	Title	City	State
National Conference of State Legislatures	Edward	Sandoval	New Mexico State Representative	Albuquerque	NM
National Conference of State Legislatures	Michael	Buckingham	South Dakota State Representative	Rapid City	SD
National Governors Association	Chris	Nelson	Secretary of State	Pierre	SD
National Governors Association	Mary E.	Herrera	Secretary of State	Albuquerque	NM
National Association of Secretaries of State	Todd	Rokita	Secretary of State	Indianapolis	IN
National Association of Secretaries of State	Deborah L.	Markowitz	Secretary of State	Montpelier	VT
National Association of State Election Directors	Christopher	Thomas	Director of Elections, State of Michigan	Lansing	MI
National Association of State Election Directors	Linda H.	Lamone	Administrator of Elections	Annapolis	MD
National Association of Counties	Wendy	Noron	Boone County Clerk	Columbia	MO
National Association of Counties	Helen	Purcell	Maricopa County Recorder	Phoenix	AZ
National Association of County Recorders, Election Officials and Clerks	Beverly	Kaufman	Harris County Clerk	Houston	TX
National Association of County Recorders, Election Officials and Clerks	David	Orr	Cook County Clerk	Chicago	IL
U.S. Commission on Civil Rights	Abigail	Thernstrom	Vice Chair, U.S. Commission on Civil Rights	Lexington	MA
U.S. Commission on Civil Rights	Ashley	Taylor	Commissioner, U.S. Commission on Civil Rights	Richmond	VA
Election Center	Doug	Lewis	Executive Director, Election Center	Houston	TX
Election Center	Ernie	Hawkins	Former Registrar of Voters, Sacramento County	Elk Grove	CA
United States Conference of Mayors	Frank	Ortiz	Mayor, City of Pembroke Pines	Pembroke Pines	FL
United States Conference of Mayors	Rhine L.	McLin	Mayor, City of Dayton	Dayton	OH
International Association of Clerks, Recorders, Election Officials, and Treasurers	Tony J.	Sirvello, III	IACREOT Executive Director	Houston	TX
International Association of Clerks, Recorders, Election Officials, and Treasurers	Bill	Cowles	Orange County, FL Supervisor of Elections	Orlando	FL
Architectural and Transportation Barriers Compliance Board	Tricia Charlene	Mason	Board Member	Cheyenne	WY
Architectural and Transportation Barriers Compliance Board	Philip Gaylon	Pearce	Board Member	College Station	TX

## \* appendix \*

2007 \* EAC Board of Advisors List (Cont.)

Appointed by	First Name	Last Name	Title	City	State
Chief, Public Integrity Section, Criminal Division, U.S. Department of Justice	Craig	Donsanto	Director, Election Crimes Branch, U.S. Department of Justice	Washington	DC
Chief, Voting Section, Civil Rights Division, U.S. Department of Justice	Butch	Bowers	U.S. Department of Justice, Voting Section, Civil Rights Division	Washington	DC
Director, Federal Voting Assistance Program, U.S. Department of Defense	Polli	Brunelli	Director, Federal Voting Assistance Program, U.S. Department of Defense	Washington	DC
House Speaker	Tom	Fuentes	Senior Fellow, The Claremont Institute	Lake Forest	CA
House Minority Leader	Barbara	Armwine	Executive Director, Lawyers Committee for Civil Rights Under Law	Washington	DC
Senate Majority Leader	Vacant				
Senate Minority Leader	Wesley R.	Kliner, Jr.	Business Attorney	McDonald	TN
House Administration—Chair	Joseph F.	Crangle	Attorney, Colucci & Gallagher, P.C.	Buffalo	NY
House Administration—Chair	Spencer	Overton, Esq.	George Washington University Law School	Washington	DC
House Administration—Ranking Minority Member	Terri	Hegarty	City Clerk, City of Grand Rapids	Grand Rapids	MI
House Administration—Ranking Minority Member	Keith	Cunningham	Director, Allen County Board of Elections	Lima	OH
Senate Rules and Administration—Chair	James C.	Dickson	VP for Governmental Affairs, American Association of People With Disabilities	Washington	DC
Senate Rules and Administration—Chair	Robin	Cannahan	Secretary of State	Jefferson City	MO
Senate Rules and Administration— Ranking Minority Member	Sue	Sautermeister	Municipal Election Commissioner, City of Ridgeland	Ridgeland	MS
Senate Rules and Administration— Ranking Minority Member	Ann	Watts	Lauderdale County Election Commissioner	Meridian	MS

## The following former members of the EAC Board of Advisors served in fiscal year 2007:

Washington Secretary of State Sam Reed; Kansas City (MO) Board of Election Commissioners Director of Elections Sharon Turner Buler;  
U.S. Department of Justice Counsel to the Assistant Attorney General Cameron Quinn; U.S. Department of Justice, Voting Section, Civil Rights  
Division appointee Emily Smith; President of Oglala Lakota College Thomas H. Shortbull.

## 1997 - EAC Standards Revision

State	Classification	First	Last	Title	City	State
Alabama	State	Beth	Chapman	Secretary of State	Montgomery	AL
Alabama	Local	George M.	Ingram	Judge of Probate, Clay County	Ashland	AL
Alaska	State	Whitney	Brewster	Director, Division of Elections	Juneau	AK
Alaska	Local	Shelly	Growden	Election Supervisor Region III, Division of Elections	Fairbanks	AK
American Samoa	State	Solai T.	Fuimaono	Chief Election Officer	Pago Pago	AS
American Samoa	Local	Taufete'e John	Faumuina	HAVA Manager	Pago Pago	AS
Arizona	State	Kevin	Tyne	Deputy Secretary of State	Phoenix	AZ
Arizona	Local	Reynaldo	Valenzuela	Assistant Director of Elections	Phoenix	AZ
Arkansas	State	Janet	Harris	Deputy Secretary of State	Little Rock	AR
Arkansas	Local	Mary Lou	Sinkard	Benton County Clerk	Bentonville	AR
California	State	Lowell	Finley	Deputy Secretary of State	Sacramento	CA
California	Local	Stephen	Weir	County Clerk Contra Costa County	Martinez	CA
Colorado	State	Vacant				CO
Colorado	Local	Russ	Ragsdale	City Clerk and Recorder	Broomfield	CO
Connecticut	State	Michael	Kozik	Managing Attorney	Hartford	CT
Connecticut	Local	Anthony	Esposito	Hamden Republican Registrar of Voters	Hamden	CT
Delaware	State	Elaine	Manlove	Commissioner of Elections	Dover	DE
Delaware	Local	Howard G.	Sholi, Jr.	Deputy Administrative Director	Wilmington	DE
District of Columbia	State	Alice P.	Miller	Executive Director	Washington	DC
District of Columbia	Local	Jorda	McFarlane	Board Member	Washington	DC
Florida	State	Vacant				FL
Florida	Local	Brenda	Snipes	Supervisor of Elections, Broward County	Ft. Lauderdale	FL
Georgia	State	Karen	Handel	Secretary of State	Atlanta	GA
Georgia	Local	Lynn	Bailey	Executive Director	Augusta	GA
Guam	State	Gerald A.	Taitano	Executive Director	Hagatna	GU



## \* appendix \*

2007 \* EAC Standards Board List (Cont.)

State	Designee	First	Last	Title	City	State
Guam	Local	Vacant				GU
Hawaii	State	Scott	Nago	Section Head	Honolulu	HI
Hawaii	Local	Glen	Takahashi	Election Administrator	Honolulu	HI
Idaho	State	Timothy A.	Hurst	Chief Deputy	Boise	ID
Idaho	Local	Dan	English	Kootenai County Clerk	Coeur d'Alene	ID
Illinois	State	Daniel W.	White	Executive Director	Springfield	IL
Illinois	Local	Richard	Cowen	Chicago Board of Election Commissioners	Chicago	IL
Indiana	State	Todd	Rokita	Secretary of State	Indianapolis	IN
Indiana	Local	Ann	Jochim	Spencer Circuit Court Clerk	Rackport	IN
Iowa	State	Sandy	Steinbach	Director of Elections	Des Moines	IA
Iowa	Local	Janine	Sulzner	Jones County Auditor	Anamosa	IA
Kansas	State	Ron	Thornburgh	Secretary of State	Topeka	KS
Kansas	Local	Donald	Merriman	Saline County Clerk	Saline	KS
Kentucky	State	Sarah Ball	Johnson	Executive Director	Frankfort	KY
Kentucky	Local	Don	Blevins	Fayette County Clerk	Lexington	KY
Louisiana	State	Jay	Dardenne	Secretary of State	Baton Rouge	LA
Louisiana	Local	Louie	Bernard	Clerk of Court	Natchitoches	LA
Maine	State	Julie L.	Flynn	Deputy Secretary of State	Augusta	ME
Maine	Local	Clairma	Matherno	City Clerk	Biddeford	ME
Maryland	State	Nikki Baines	Trella	Election Reform Director	Annapolis	MD
Maryland	Local	Kim A.	Atkins	Voter Registration Manager	Forest Hill	MD
Massachusetts	State	William F.	Gavin	Secretary of the Commonwealth	Boston	MA
Massachusetts	Local	William	Campbell	City Clerk	Woburn	MA
Michigan	State	Susan	McRill	Administrative Manager, QVF Help Desk & Field Svcs.	Lansing	MI
Michigan	Local	Tonni	Bartholomew	Troy City Clerk	Troy	MI

2007 \* EAC Standards Board List (Cont.)

State	Designee	First	Last	Title	City	State
Minnesota	State	Gary	Poser	Director of Elections	St. Paul	MN
Minnesota	Local	Sharon K.	Anderson	Cass County Auditor-Treasurer	Walker	MN
Mississippi	State	Linda	Rigsby	Assistant Secretary of State	Jackson	MS
Mississippi	Local	Marilyn	Avery	Election Commissioner	Jackson	MS
Missouri	State	Leslye	Winslow	Senior Counsel to Secretary of State	Jefferson City	MO
Missouri	Local	Richard T.	Struckhoff	County Clerk	Springfield	MO
Montana	State	Janice	Doggett	Chief Legal Counsel/Asst. Chief Deputy	Helena	MT
Montana	Local	Vickie	Zeier	Missoula County Clerk and Recorder/Treasurer	Missoula	MT
Nebraska	State	John	Gale	Secretary of State	Lincoln	NE
Nebraska	Local	David	Dowling	Cedar County Clerk & Election Commissioner	Hartington	NE
Nevada	State	Ross	Miller	Secretary of State	Carson City	NV
Nevada	Local	Harvard L.	Lomax	Clark County Registrar of Voters	North Las Vegas	NV
New Hampshire	State	Anthony	Stevens	Assistant Secretary of State	Concord	NH
New Hampshire	Local	Carol	Johnson	Deputy City Clerk	Manchester	NH
New Jersey	State	Vacant				NJ
New Jersey	Local	Joanne	Armbruster	Atlantic County Superintendent of Elections	Atlantic City	NJ
New Mexico	State	Mary	Herrera	Secretary of State	Santa Fe	NM
New Mexico	Local	Vacant				NM
New York	State	John	Haggerty, Jr.	Executive Director	Forrest Hills	NY
New York	Local	Edward J.	Szczepniak	Onondaga County Commission of Elections	Syracuse	NY
North Carolina	State	Johnnie E.	McLean	Deputy Director	Raleigh	NC
North Carolina	Local	Deborah J.	Bedford	Director of Elections	Rutherfordton	NC
North Dakota	State	I. James	Silum	Deputy Secretary of State	Bismark	ND
North Dakota	Local	Michael M.	Montplaisir	Cass County Auditor	Fargo	ND

## \* appendix \*

State	Designee	First	Last	Title	City	State
Ohio	State	Jennifer	Brunner	Secretary of State	Columbus	OH
Ohio	Local	Dale	Fellows		Willoughby Hills	OH
Oklahoma	State	Vacant				OK
Oklahoma	Local	Vacant				OK
Oregon	State	John	Lindback	Director	Salem	OR
Oregon	Local	Annette	Newingham	Chief Deputy County Clerk	Eugene	OR
Pennsylvania	State	Pedro A.	Cortés	Secretary of the Commonwealth	Harrisburg	PA
Pennsylvania	Local	Regis	Young	Butler County Election Director	Butler	PA
Puerto Rico	State	Nestor J.	Colón Berlingeri	First Vice President	San Juan	PR
Puerto Rico	Local	María D.	Santiago Rodríguez	Second Vice President	San Juan	PR
Rhode Island	State	Jan	Ruggiero	Director of Elections	Providence	RI
Rhode Island	Local	Marian	Clarke	Chair, Jamestown Board of Canvassers	Jamestown	RI
South Carolina	State	Marci	Andino	Executive Director	Columbia	SC
South Carolina	Local	Marilyn	Bowers	Executive Director	Charleston	SC
South Dakota	State	Kea	Warne	State Election Supervisor	Pierre	SD
South Dakota	Local	Sue	Rouss	Minnehaha County Auditor	Sioux Falls	SD
Tennessee	State	Brook	Thompson	State Coordinator of Elections	Nashville	TN
Tennessee	Local	Joe	Enoch	Dyer County Election Commissioner	Dyersburg	TN
Texas	State	Ann	McGehean	Director of Elections	Austin	TX
Texas	Local	Dana	DeBeauvoir	Travis County Clerk	Austin	TX
Utah	State	Michael	Cragun	Deputy Director	Salt Lake City	UT
Utah	Local	Robert	Pero	Carbon County Clerk	Price	UT
Vermont	State	Kathleen	DeWolfe	Director of Elections	Montpelier	VT
Vermont	Local	Annette L.	Cappy	Town Clerk - Town of Brattleboro	Brattleboro	VT
Virgin Islands	State	Corinne	Halyard Plaskett	Deputy Supervisor of Elections	Kingshill St. Croix	VI
Virgin Islands	Local	Natalie	Thomas	Deputy Supervisor	St. Thomas	VI

## 2007 ★ EAC Standards Board List (Cont.)

State	Designee	First	Last	Title	City	State
Virginia	State	Nancy	Rodrigues	Secretary, State Board of Elections	Richmond	VA
Virginia	Local	Allen	Harrison, Jr.	Chair, Arlington County Electoral Board	Arlington	VA
Washington	State	Shane	Hamlin	Asst. Director of Elections	Olympia	WA
Washington	Local	Pat	McCarthy	Pierce County Auditor	Tacoma	WA
West Virginia	State	Susan	Silverman	Special Assistant - Elections Division	Charleston	WV
West Virginia	Local	Gary W.	Williams	Boone County Clerk	Madison	WV
Wisconsin	State	Kevin	Kennedy	Executive Director	Madison	WI
Wisconsin	Local	Sandra L.	Wesolowski	Franklin County Clerk	Franklin	WI
Wyoming	State	Peggy	Nighswonger	State Elections Board	Cheyenne	WY
Wyoming	Local	Julie	Freese	Fremont County Clerk	Lander	WY

## The following former members of the EAC Standards Board served in fiscal year 2007:

Alabama Secretary of State Nancy Worley, Houston County Alabama Judge of Probate Luke Cooley, Maricopa County Arizona Assistant Elections Director Mitch Etter, Arkansas Secretary of State Charlie Daniels, Colorado Secretary of State Gigi Dennis, Delaware Commissioner of Elections Frank Catio, Florida Division of Elections Director Dawn Kimmel Roberts, Florida Division of Elections Director Amy Tuck, Orange County Florida Supervisor of Elections Bill Cowles, Iowa Secretary of State Chester Culver, Warrick County Indiana Circuit Clerk Shannon Weisheit, Louisiana Department of State General Counsel Merietta Spencer Norton, Michigan Secretary of State Terri Lyon Land, Minnesota Secretary of State Mary Kilmeyer, Mississippi Assistant Secretary of State Jay Eads, Montana Deputy Secretary of State for Elections Elaine Graveley, Boone County Nebraska Election Commissioner Robert Zoucha, Nevada Secretary of State Dean Heller, New Mexico Secretary of State Rebecca Vigil-Giron, Chaves County New Mexico Chief Deputy Clerk, Dave Kunko, Ohio Secretary of State J. Kenneth Blackwell, Montgomery County Ohio Board of Elections Director Steve Harsmen, Tulsa County Oklahoma Election Board Vice Chairman Clint Parr, Puerto Rico Second Vice President Juan M. Toledo-Diaz, Texas Secretary of State Geoffrey Connor, Vermont Secretary of State Deb Markowitz, Virginia State Board of Elections Secretary Jean Jensen, Washington Director of Elections Nick Handy, West Virginia appointee Cindy Smith

## \* appendix \*

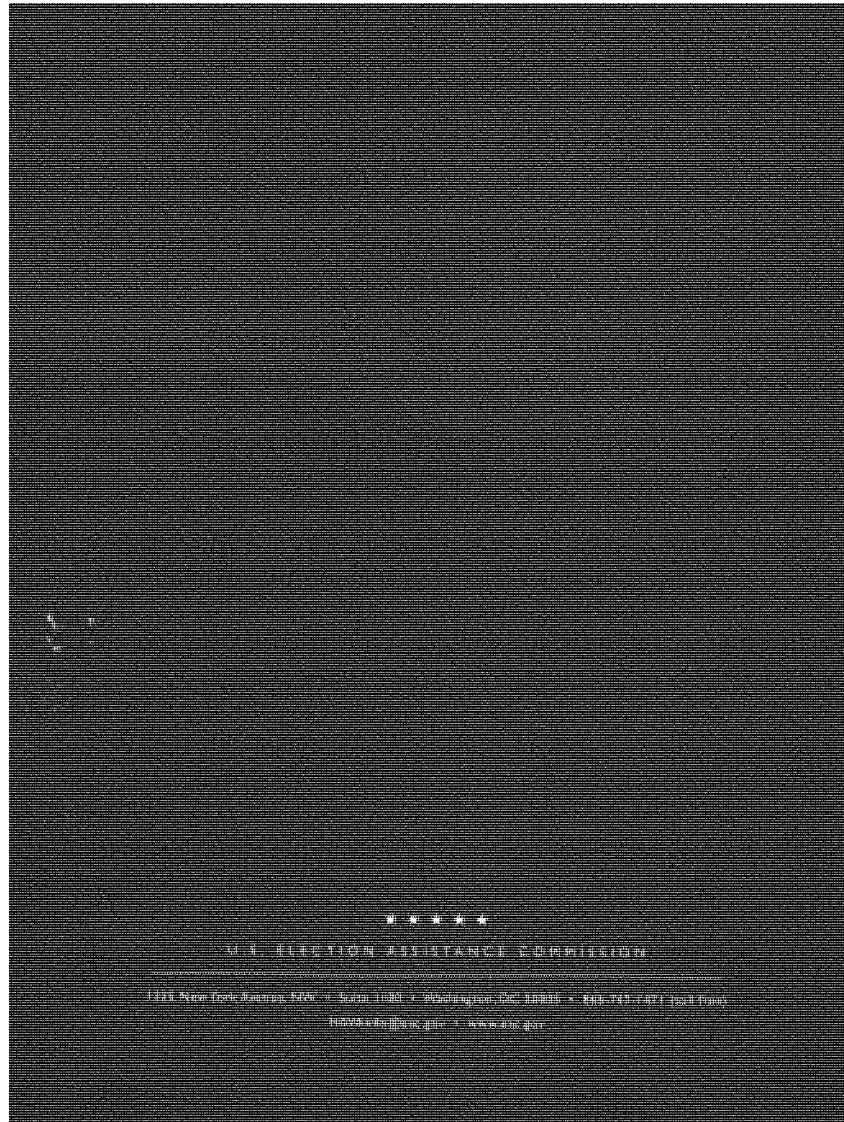
## 2007 \* Technical Guidelines Development Committee List

Appointed by	First Name	Last Name	Title	City	State
Director of NIST	James M.	Turner	Committee Chair, Acting Director of the National Institute of Standards and Technology	Gaithersburg	MD
Standards Board	Hon. John	Gale	Nebraska Secretary of State	Lincoln	NE
Standards Board	Alice R.	Miller	Director of Elections, District of Columbia	Washington	DC
Board of Advisors	Vacant				
Board of Advisors	Helen	Purcell	Maricopa County, AZ Recorder	Phoenix	AZ
Access Board	Tricia	Mason	National Officer, Little People of America	Cheyenne	WY
Access Board	Philip G.	Pearce	Ready Access Services, LLC	College Station	TX
ANSI	Dr. David	Wagner	Professor, University of California-Berkeley	Berkeley	CA
IEEE	Cem	Kaner	Professor of Software Engineering, Florida Institute of Technology	Palm Bay	FL
NASED	Dr. Britain	Williams	Retired Professor - Kennesaw State - University of Georgia	Tucker	GA
NASED	Paul	Miller	Voting Systems Manager, Washington State	Olympia	WA
Other Tech/Sci	Dr. Ronald L.	Rivest	Professor, MIT, Dept. of Electrical Engineering and Computer Science	Cambridge	MA
Other Tech/Sci	Dr. Daniel	Schutzer	Executive Director Financial Services Technology Consortium	New York	NY
Other Tech/Sci	Patrick	Gannon	President and CEO, OASIS	Billerica	MA
Other Tech/Sci	Whitney	Quisenberry	President, Usability Professionals Association	High Bridge	NJ

The following former members of the EAC Technical Guidelines Development Committee served in fiscal year 2007:

NIST Director, Dr. William A. Jeffrey; IEEE member H. Stephen Berger; Kansas City, MO Director of Elections Sharon Turner-Bula.

ANSI = American National Standards Institute.  
IEEE = Institute of Electrical and Electronics Engineers.  
MIT = Massachusetts Institute of Technology.  
NASED = National Association of State Election Directors.



\*\*\*\*\*

U.S. ELECTION ASSISTANCE COMMISSION

1121 New York Avenue, NW • Santa Fe, NM • Washington, DC 20005 • 846.743.1471 (toll free)

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# Compendium of State Poll Worker Requirements

August 2007



U.S. Election Assistance Commission

# Compendium of State Poll Worker Requirements

August 2007

2nd Edition



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## Background

The United States Election Assistance Commission (EAC) is an independent, bipartisan agency created by the Help America Vote Act (HAVA) of 2002. It was established to assist State and local election administrators with the administration of Federal elections. The EAC provides assistance by disbursing, administering, and auditing Federal funds for States to implement HAVA requirements; conducting studies and other activities to promote the effective administration of Federal elections; and serving as a national clearinghouse and resource of information regarding election administration. In addition, HAVA requires the EAC to adopt the *Voluntary Voting System Guidelines* and to establish a program for the testing, certification, decertification, and recertification of voting system hardware and software.

In 2005, the EAC commissioned two research studies involving poll workers under separate HAVA directives. These research projects have resulted in the recent publication of two election guidebooks: *Successful Practices for Poll Worker Recruitment, Training, and Retention* and *A Guidebook for Recruiting College Poll Workers*. This publication, the *Compendium of State Poll Worker Requirements*, complements these election guidebooks, offering a framework for understanding the legal limitations of poll worker services in many States.

The compendium contains the State election statutes and administrative regulations that govern poll worker requirements for the 50 States, the District of Columbia, and four territories. These data were compiled by the Center for Election Integrity at Cleveland State University under an EAC contract using statutory research, review of State Board of Election Web sites, and review of the opinions of State attorneys general on relevant issues. In addition, information was gathered from various sources, including the National Association of Secretaries of States and the National Association of State Election Directors (NASSED) Web sites. These data were then synthesized and distilled into individual quick reference sheets for each State.

Multiple efforts were made to confirm the data with every State and territory, including disseminating copies of the State sheets for verification at the NASSED conference in February 2006 and following up individually with the offices of election directors and secretaries of State. In December 2006, the compendium was updated, noting where outstanding questions remained. In July 2007, the EAC again contacted the States where outstanding questions remained and requested verification of the information.

Because the compendium is a compilation of State laws, regulations, and information provided by each State and territory, the EAC is not responsible for the content or currency. State laws change, and any user of this document should verify the current state of the laws. The EAC has not edited or altered the text of this compendium for consistency, accuracy, or syntax.

### Legal Criteria for Selection of Poll Workers

For complete explanations of legal criteria and State statute citations, please refer to individual State sheets available on the EAC Web site.  
State policies and laws may change frequently.

\* Residency: Different States require different levels of residency to serve as a poll worker. That is, some require residency at the precinct where you serve, some require residency at the county level, and a few require only that you be a resident of the State. Residency generally refers to the place where you are registered to vote.

\*\* Duration of term: Often poll workers are qualified to work for the term indicated, but not required to work.

\*\*\* These States did not verify all the information listed. Some may have internally contradictory statutes that require interpretation.  
N.L. = No information available.

States and Territories	Must Be Registered Voter in State	Age Requirement to Serve as Poll Worker	Residency Requirement to Serve as Poll Worker	Political Party Affiliation Required	Nomination Process To Become a Poll Worker	Duration of Term Required for Service**	Part-Time Available	Training Required	Alternative Positions
Alabama	Yes	18	Precinct resident	Affiliated given preference	Parties submit nominees by 45 days before election, board appoints between 20 and 15 days before election, or 25 days before primary	N.L.	N.L.	Yes, if voting machines are used	Electronic voting specialists
Alaska	Yes	16 or 18 pursuant to Youth Vote Ambassador program	Precinct resident given preference, then choose from district, then choose from State	Affiliated given preference	Party committees nominate by 4/15 of election year. If no nominations, then supervisor appoints.	Term specified through agreement	N.L.	No, but must swear oath to perform duties	Youth Vote Ambassador for 16-to-17-year-old students. Will be trained and compensated.
Arizona***	Yes	18 or 16 pursuant to Student Election Assistant statute	Precinct resident given preference, then choose from county	No affiliation required for clerks and in nonpartisan elections. Affiliation required for inspectors, marshall, and judges.	Board of Supervisors appoints clerks and party nominees. Parties submit nominees 90 days before election.	Election	N.L.	Yes	16-to-17-year-olds with election officer supervision, if trained and have parent's permission
Arkansas	Yes	18 or 16 pursuant to Election Page program	Precinct resident given preference, then choose from county	Affiliated given preference	Political party commissioners or county board designate nominees at least 20 days before election	N.L.	Yes	Yes, for some election officials	Electron page volunteers under 18 and college students selected at election officials by county board in cooperation with student government
California***	Yes	18 or 16 pursuant to Student Election Assistant statute	State resident	No affiliation required	Election board appoints. Parties may submit nominees 90 days before election.	N.L.	Varies by county	Varies by county; legislation for uniform standards pending	Translators and 16-to-17-year-old students with at least 2.5 GPA and in good standing. Will be compensated.

## Legal Criteria for Selection of Poll Workers

iv-b

States and Territories	Must Be Registered Voter in State	Age Requirement To Serve as Poll Worker	Residency Requirement To Serve as Poll Worker	Political Party Affiliation Required	Nomination Process to Become a Poll Worker	Duration of Term Required for Service**	Part-Time Available	Training Required	Alternative Positions
Colorado***	Yes	18 or 16 pursuant to Student Election Assistant statute	County resident given preference, then choose from State	Affiliation required, unless insufficient workers available	County appoints party nominees submitted 10 days after caucus and appoints unaffiliated the last Tuesday in April of even years	2 years starting last Tuesday in May of even years	N.I.	Yes	16- to 17-year-old students if in good standing, trained and have parent's permission. Will be compensated.
Connecticut***	Yes	18 or 16 pursuant to Student Election Assistant statute	Town or district resident	Affiliated given preference	Register as citizens if insufficient nominees may appoint from outside geographic area or political party	Election	Yes for voting machine tenders and chaplains	Yes	Using machine mechanics do not have to be registered voters. 16- to 17-year-old students if resident, trained, and have parent's permission.
Delaware***	Yes	18 or 16 pursuant to Student Election Assistant statute	District resident given preference then choose from county. College students who are Delaware residents may serve in school's county.	Affiliation required, unless insufficient workers available	Election officers appoint from party nominees submitted by 2/1. County government may recruit students.	1 year from 4/1	N.I.	Yes	16- to 17-year-old students if Delaware citizens and have parent's permission
District of Columbia***	Yes	18 or 16 pursuant to Youth Pollworker Program	District resident	No affiliation required	N.I.	N.I.	Yes, but only for students	Yes	Roles available for high school and college students 16 and up who are residents but not qualified registered voters. Part-time, possible.
Florida***	Yes	16 or 17 and pre-registered	County resident	No affiliation required	County supervisor of elections appoints election board members at least 20 days before election	N.I.	N.I.	Yes	N.I.
Georgia	No	16	County resident or resident of municipality for minimum 30 days prior to municipal elections	No affiliation required	Superintendent appoints. Will consider nominees of political parties for appointments.	None	N.I.	Yes, except for special elections	None. Students 16 and up may be appointed as part of normal standard practice.
Hawaii	Yes*	18 or 16 if insufficient registered voters available	Precinct resident given preference, then choose from district, then choose from unregistered	Affiliation required, unless insufficient workers available	Chief election officer appoints from party nominees submitted at least 60 days before election	N.I.	N.I.	Yes for new workers, and maybe for others	N.I.

Legal Criteria for Selection of Poll Workers

IV-C

States and Territories	Must Be Registered Voter in State	Age Requirement To Serve as Poll Worker	Residency Requirement To Serve as Poll Worker	Political Party Affiliation Required	Nomination Process To Become a Poll Worker	Duration of Term Required for Service**	Part-Time Available	Training Required	Alternative Positions
Idaho	No	None or 17 pursuant to Student Election Assistant statute	No residency requirements, but in practice, precinct residents given preference	Affiliated given preference	Precinct committeemen nominate. If numbers insufficient, county clerk nominates.	N.I.	N.I.	Yes	No more than two 17-year-old students may be appointed per precinct. Must be U.S. citizens and under supervision of election board member.
Illinois**	Yes	10 or 17 pursuant to Student Election Assistant statute	Precinct resident, but one judge in each precinct may be from county	Affiliation required	County board appoints from party nominees submitted 10 days before board's annual meeting	2 years	N.I.	Yes	17-year-old students, U.S. citizens, in good standing, 3.0 GPA, parent's and principal's permission, having completed training
Indiana	Yes	18 or 16 pursuant to Student Assistant Poll Clerk statute	County resident	Affiliation required; college student exception; nonpartisan roles available if parties fail to make nominations	County board appoints from party nominees submitted at least 21 days before election	Election	Yes, except for inspector position	Yes, for inspectors. County may require for others.	College students, registered to vote, may serve as nonpartisan workers if political parties miss deadline for nominations
Iowa	Yes	18	Precinct resident. Given preference from include from county. 17 students may choose to serve as poll workers in precincts in which they are not residents.	Affiliation required, unless sufficient students participate	Commissioner appoints from party nominees submitted at least 30 days before election	4 months, 2 years	N.I.	Yes, for regular election; no training required	Ballot Clerk/Assistant; Registrar; Registrar's Assistant
Kansas	Yes	18	Voting area or county resident	Affiliation required	County election officer appoints from party nominees submitted at least 30 days before primary or general election	N.I.	N.I.	County must provide training (unclear if required)	One 16-to-18-year-old may serve on each election board
Kentucky	Yes	18 prior to next election	Precinct resident given preference, then choose from county	Affiliation required, unless emergency appointment is necessary	County board appoints from party nominees submitted before 37/15 each year	1 year, except for minors who serve for election	N.I.	Yes, unless excused for illness or other emergency	One 17-year-old, turning 16 before next election, may serve on each election board

## Legal Criteria for Selection of Poll Workers

iv-d

States and Territories	Must Be Registered Voter in State	Age Requirement To Serve as Poll Worker	Residency Requirement To Serve as Poll Worker	Political Party Affiliation Required	Nomination Process To Become a Poll Worker	Duration of Term Required for Service**	Part-Time Available	Training Required	Alternative Positions
Louisiana	Yes	18 prior to next election	Precinct residents given preference, then choose from ward, then from parish. Students may choose either home or school residence for registration and voting.	Affiliation required	Parish board chooses certified candidates on 20th or 28th day before election. Rules may be different for elections held within 1 year of declared emergency.	1 year or one election, depending on role	No	Yes	17-year-old students, not voters but otherwise qualified, may serve in precinct where will be registered
Massachusetts	Yes	18 or 17 if determined qualified	Resident of municipality, present in municipality, and not a student attending school in another municipality.	No affiliation required for officers. Affiliation required for state legislators.	Municipality appoints precinct chairperson and clerk from party nominations submitted by all parties or by a majority party.	1 year for state legislators	Yes	Secretary of State encourages interested persons to train for functions of the election clerk.	17-year-old students may be appointed and their parents will be notified of their election clerk training.
Maryland	Yes	18 or 17 if determined qualified	County resident given preference, then choose from State	Affiliated given preference	Election directors appoint; local boards approve. Equal numbers from major parties required.	18 months	Yes, except for chief judge	Yes	Montgomery County recruits Spanish-speaking judges per Voting Rights Act; 17-year-olds who are qualified
Massachusetts	Yes	18 or 16 pursuant to Student Election Assistant statute	Commonwealth resident	Affiliated given preference, but some spots reserved for unaffiliated	Election commission or clerk appoints from party nominees submitted by 6/1 each year	1 year, starting in September	N.I.	No, but training legislation is pending	Two 16-to-17-year-old students may serve if Commonwealth residents, have parent's and precinct's permission, and are trained
Michigan	Yes	18 or 16 pursuant to Student Election Assistant statute	County resident	Affiliation required	Board appoints from party nominees submitted by 5/15, but individuals must also file personal applications	Election	N.I.	Yes	One 16-to-17-year-old county resident, not voter but otherwise qualified, may serve but not as chairperson
Minnesota	Yes	18 or 16 pursuant to Student Election Assistant statute	Precinct residents given preference, then choose from ward.	Affiliation required	County parties nominate from party nominees submitted by 5/1 of the election year.	N.I.	Yes, except for head judge	Yes	16-year-olds submit application without party affiliation. Board calls them for county residents over 16 and meeting and assigns nomination, training, and election duties.

## Legal Criteria for Selection of Poll Workers

iv-e

States and Territories	Must Be Registered Voter in State	Age Requirement To Serve as Poll Worker	Residency Requirement To Serve as Poll Worker	Political Party Affiliation Required	Nomination Process To Become a Poll Worker	Duration of Term Required for Service**	Part-Time Available	Training Required	Alternative Positions
Mississippi***	Yes	18 or 16 pursuant to Student Election Assistant statute	County resident	No affiliation required in general and special elections. Affiliation required for primaries.	County appoints for general and special elections. Parties appoint for primaries.	N.I.	N.I.	Yes	16-year-old students, enrolled in high school or college, recommended by school official, resident of municipality, trained and under supervision
Montana	Yes	18	Precinct resident given preference, then choose from county	Affiliation required	County appoints from party nominees submitted at least 45 days before primary election in even-numbered years	Serve until other judges appointed	Yes, if three judges present at all times	Yes	Election worker is individual designated to perform election support duties and can be youth
Nevada***	Yes	18 or 16 pursuant to Student Election Assistant statute	County resident	Affiliated given preference	County appoints party nominees submitted by 60 days before election	2 years or less	Yes	Yes	One 16-to-17-year-old high school student may serve in each precinct if trained. Considered unfamiliar.
New Hampshire***	Yes	18 or 17 pursuant to Election Officer statute	Voting district (precinct) resident	No affiliation required for assistant moderators and assistant town clerks. Affiliation required for inspectors	Moderators (elected) and town clerks appoint assistants. Parties appoint inspectors	Inspectors 2 years; assistants election	N.I.	Training required, but may not be required	17-year-olds may be appointed to conduct polling places in State elections as assistant election officials

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## Legal Criteria for Selection of Poll Workers

States and Territories	Must Be Registered Voter in State	Age Requirement To Serve as Poll Worker	Residency Requirement To Serve as Poll Worker	Political Party Affiliation Required	Nomination Process To Elect a Poll Worker	Duration of Term Required for Service <sup>a</sup>	Part-Time Available	Training Required	Alternative Positions
New Jersey	Yes	18 or 16 pursuant to Student Election Assistant statute	County resident	Affiliation required, unless insufficient workers available	County board appoints from individual applications in consultation with county parties	1 year starting 4/25	Yes	Yes every 2 years	Translators of Hispanic origin and fluent in Spanish; 16-to-17-year-olds if in school or graduated and have parent's permission
New Mexico <sup>***</sup>	Yes	18	Precinct resident given preference, then choose from county	Affiliation considered in effort to maintain equal political party representation	County appoints party nominees submitted by 30 days before precincts. Also appoints from property lists.	2 years	N.I.	Yes	Messengers and translators
New York <sup>***</sup>	Yes	18	County resident or, for New York City, city resident	Affiliation required	County appoints from party nominees submitted by 31st each year. Also may appoint from open inspector list.	1 year or partial unexpired term from 7/15-7/14	Legislation pending	Yes, every 3 years	Translators, information clerks, and door clerks may not need to be registered. Legislation pending to allow student poll clerks.
North Carolina	Yes	18 or 17 pursuant to Student Election Assistant statute	Precinct resident given preference	Affiliation required, unless insufficient workers available	County board appoints party nominees submitted at least 5 days before the 3rd Tuesday in August	2 years, unless substituting precinct resident	No	Yes	Part-time assistants: 17-year-old students if county residents, with exemplary record, principal recommendation, and parental consent
North Dakota	Yes	18 or 16 if in school or graduated	Precinct resident then choose from legislative district, then from county	Affiliation required for judges and clerks, but inspectors may be unaffiliated	District party chairs appoint judges and clerks by submitting names 21 days before election	Inspectors serve until successor named	N.I.	Yes	Two 16-to-17-year-old high school or college students (or graduates) per election board. Must be in good standing and precinct residents.
Omn <sup>***</sup>	Yes	16 or 17 pursuant to Student Election Assistant statute	County resident	Affiliation required	County board appoints by majority vote on 9/15 each year. Precinct judge chosen from dominant party.	1 year, starting 9/15	No	Yes	Additional officials (tribunal required) and interpreters: one 17-year-old high school senior per precinct if county resident and disclose party affiliation
Oklahoma	Yes	18	County resident	Affiliation required for judges and clerks, but inspectors may be unaffiliated	County election board appoints from party nominees submitted every 4 years beginning 6/15/75	Judges and clerks: 4 years; inspectors: until resign or removed	N.I.	Yes, every 2 years	Assistants, but must meet same requirements as precinct officials





## Legal Criteria for Selection of Poll Workers

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States and Territories	Must Be Registered Voter in State	Age Requirement to Serve as Poll Worker	Residency Requirement to Serve as Poll Worker	Political Party Affiliation Required	Nomination Process To Become a Poll Worker	Duration of Term Required for Service**	Part Time Available	Training Required	Alternative Positions
Texas	Yes	18	If judge, precinct resident given preference, then choose from county, if clerk, county or subdivision resident.	Affiliation required, unless insufficient workers available	County appoints judges from party nominees submitted in July. Presiding judge appoints clerks from party nominees.	Usually 1 year starting on 8/1	Yes, for clerks	Available, but may not be required	Translators fluent in English and Spanish
Utah	Yes	19	County resident for general and primary elections. Jurisdiction resident for local elections	Affiliation required in general and primary elections, unless insufficient workers available	County appoints from party nominees submitted by April 1 of even-numbered years. Municipalities nominate and appoint during term	2 years, but may not serve at every election during term	N.I.	Training being developed	Many requirements for election judges will change contingent on pending legislation
Vermont	Yes, unless approved 15- or 17-year-old assistant	18 or 16 pursuant to Youth Election Assistant statute	Voting district resident; exception for larger municipalities with combined voting districts	Affiliation considered in effort to maintain equal political party representation	Town clerk is generally presiding officer, and board of civil authority appoints assistants	Assistants serve for term of election	Possible. Hours set by presiding officer	Yes	May be elected to Board of Civil Authority that administers elections; 16- to 17-year-olds may serve if supervised
Virginia**	Yes	18	Precinct resident given preference, then choose from Commonwealth	Affiliation generally required "if feasible." Equal political party representation required, unless an odd number is on the board.	Electoral board appoints party nominees submitted 10 days before 2/1 each year	No more than 3 years	Yes, except for chief and assistant chief officers	Yes	N.I.
Washington	No. Must be qualified major party member or trained	None	Precinct resident	Affiliation required, unless insufficient workers available	County auditor appoints from party nominees submitted by 6/1, or from off the list if there are insufficient nominees	Election	N.I.	Yes, but may be waived for those with experience	N.I.
West Virginia	Yes	18 or 16 pursuant to Election Official Training statute	County resident for countywide elections. Resident of municipality for municipal elections	Affiliation required for two of those positions in a precinct	County appoints two women from party nominees submitted 30 days before election, and then selects the third worker	Election	N.I.	Yes	15- to 17-year-olds who have met the requirements other than being registered voters

## Legal Criteria for Selection of Poll Workers

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States and Territories	Must Be Registered Voter in State	Age Requirement To Serve as Poll Worker	Residency Requirement To Serve as Poll Worker	Political Party Affiliation Required	Nomination Process To Become a Poll Worker	Duration of Term Required for Service <sup>a</sup>	Part-Time Available	Training Required	Alternative Positions
Wisconsin	No <sup>2</sup>	18 or 16 pursuant to Student Election Assistant statute	Ward or election district resident. In emergency may fill vacancies from residents of other wards or districts.	Affiliation required unless insufficient workers available	Governing body or board appoints from party nominees submitted by 1/30 of even-numbered years	2 years starting 12/1; must serve at every election	N.I.	Yes	Special election deputies for registration and absentee voting; 16-to-17-year-old students with 3.0 GPA and parent's permission
Wyoming	Yes	18 or 16 if otherwise qualified as an elector	County resident	Affiliation required unless insufficient workers available	County appoints first from party nominees, then from municipal nominees submitted by the third Tuesday of May	2 years or until successor appointed	N.I.	Yes	16-to-17-year-olds may serve, but no more than one under 18 in precinct
American Samoa	Yes	18	District resident given preference; then choose from outside the district	No affiliation required	Chief election officer appoints from public's applications and list of local government officials	N.I.	N.I.	Yes	N.I.
Guam <sup>3</sup>	Yes	18 or 16 pursuant to Student Election Assistant Statute	District resident	No affiliation required	Election Commission appoints not less than 60 days before election	N.I.	N.I.	Yes	No more than two 16-to-17-year-old students per precinct if seniors and in good standing with at least a 2.5 GPA
Puerto Rico <sup>3</sup>	Yes	18 by next general election	Election district resident (must be in possession of elector identification card)	Affiliation with party, candidate, or organization participating in election is required	Local election commissioners (political party representatives) appoint poll workers	Election	No	Yes	Poll workers are not compensated
U.S. Virgin Islands	Yes	18	District resident	Affiliation considered in effort to maintain equal political party representation	Board appoints, no later than 20 days before election; parties have right to submit nominations	N.I.	N.I.	N.I.	N.I.

1. In Hawaii, the statute allows unregistered voters to be poll workers if no registered voters are available; however, any unregistered workers would have to meet all the qualifications making them eligible to register.

2. One unregistered Oregon citizen may serve on each board.

3. A Wisconsin citizen does not have to be registered to vote to serve as a poll worker, but he or she must still meet all the qualifications making them eligible to register.

## Alabama

1

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must "appoint from the qualified electors of the respective precinct."

*Ala. Code § 17-8-1 (Legislation enrolled 4/06, awaiting gubernatorial approval, anticipated effective 1/07); (Thomson/West 2006).*

For the purpose of election officer eligibility, a "qualified elector" may be interpreted to mean someone registered to vote in Alabama.

*Alabama Attorney General Opinion, 91-00156, (2/1/91); Alabama Attorney General Opinion, 96-00286 (8/5/96).*

### Age Requirement

18 years of age.

*Ala. Const. Art. VIII, §177(a); Ala. Code § 17-3-30 (Legislation enrolled 4/06, awaiting gubernatorial approval, anticipated effective 1/07); (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

State and County for the time provided by law.

*Ala. Const. Art. VIII, §177(a) Ala. Code § 17-3-30 (Legislation enrolled 4/06, awaiting gubernatorial approval, anticipated effective 1/07); (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct.

*Ala. Const. Art. VIII, §196A; Ala. Code § 17-8-1 (Legislation enrolled 4/06, awaiting gubernatorial approval, anticipated effective 1/07); (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation generally required. No later than 45 days before the election the two political parties which received the highest number of votes in the state in the preceding election, may provide appointing board with a list of recommended poll workers from qualified electors from each voting place. No more than 20 days or less than 15 days before an election, the appointing board shall use the lists to appoint, to each voting place, one inspector and at least three clerks from members of opposing political parties, if practicable.

*Ala. Code § 17-8-1; Ala. Code § 17-8-5 (Legislation enrolled 4/06, awaiting gubernatorial approval, anticipated effective 1/07); (Thomson/West 2006).*

For primaries, candidate may, at least 25 days before the primary, present to the county executive committee of his party a list of election officers desired by him. The county committee shall present the list to the appointing board which shall use the list, before their own, for appointing inspectors and clerks, always observing the rules regarding equal representation.

*Ala. Code § 17-16-17 (Thomson/West 2006).*

If no lists are furnished, the appointing board shall appoint an inspector and at least three clerks for each voting place from the qualified electors of the precinct from members of opposing political parties, if practicable.

*Ala. Code § 17-8-5 (Legislation enrolled 4/06, awaiting gubernatorial approval, anticipated effective 1/07.) (Thomson/West 2006).*

#### **Term Requirements**

No information available.

#### **Compensation and Hour Requirements**

Entitled to \$50 by the county. For statewide elections, in addition to the county's payment of \$50, each returning officer and clerk shall be entitled to supplemental compensation paid by the state to ensure that the total compensation paid shall be at least \$75 per day, and each inspector shall be entitled to supplemental compensation paid by the state in an amount that ensures that the total compensation of an inspector is at least \$100 per day. Upon completion of a local election school or being certified as a qualified poll worker by the probate judge, or both, each clerk, returning officer, and inspector shall be entitled to receive an additional \$25 per day in compensation from the state.

*Ala. Code §§ 17-6-13(1)(a) & (b) (Act 2006-570, effective January 1, 2007, reorganizes Title 17 and may relocate Ala. Code § 17-6-13 to Ala. Code § 17-8-12); 17-16-10 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Not less than 5 days before election or primary, the authority charged with holding the election must hold training. The judge of probate shall notify such election officials of the time and place of the holding of such school of instruction, and shall also publish notice at least 48 hours before the same is to be held. No election official shall serve in any election district in which an electronic voting machine is used, unless he or she shall have received such instruction within 60 days prior to the election and is fully qualified to perform the duties in connection with the electronic voting machine, and has received a certificate from the authorized instructor to that effect; provided, that this shall not prevent the appointment of an uninstructed person as an election official to fill a vacancy among the election officials.

*Ala. Code § 17-8-9 (Legislation enrolled 4/06, awaiting gubernatorial approval, anticipated effective 1/07.) (Thomson/West 2006).*

Oath required.

*Ala. Code § 17-6-10 (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No officer or employee of any city or town shall act in the capacity of election officer, returning officer, marker or watcher, or as a deputy sheriff in conducting any town or city election.

*Ala. Code § 17-6-15 (Thomson/West 2006).*

**Candidates Prohibited**

Candidates and members of a candidate's immediate family to the second degree of kinship by affinity or consanguinity and any member of a candidate's principal campaign committee are ineligible for appointment.

*Ala. Code § 17-8-1(a) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

All felons without restored rights are prohibited.

*Ala. Const. Art. VIII, § 177(b); Ala. Code § 17-3-31 (Legislation enrolled 4/06, awaiting gubernatorial approval, anticipated effective 1/07); Ala. Code § 15-22-36.1 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if mentally incompetent, until restoration of civil and political rights or removal of disability.

*Ala. Const. Art. VIII, § 177 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

A county may employ electronic voting specialists who serve as trouble shooters during the election. Must be trained in the operation of electronic voting equipment and these procedures. May assist in any precinct in the county, but do not assume the title or authority of the regular poll workers assigned to a precinct.

*Ala. Admin. Code r. 307-x-1-.07 (Thomson/West 2006).*

**Student Election Assistant Statute**

No information available.

## Alaska

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*Alaska Stat. § 15.10.120(a) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*Alaska Stat. § 15.05.010 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

State and house district for at least 30 days before the election.

*Alaska Stat. § 15.05.010 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct, then district, then State. Registered to vote in the precinct to which they are appointed. If insufficient numbers then they can be appointed from registered voters in the election district in which the precinct is located and, if still not sufficient numbers, can be any qualified voter registered in Alaska.

*Alaska Stat. § 15.10.120(a) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation generally required. On or before April 15 in each regular election year, or at least 60 days before a special election, a party district committee or state party central committee of each political party may nominate two candidates for each precinct election board. An election supervisor shall appoint one nominee of the political party of which the governor is a member and one nominee of the political party that received the second largest number of votes statewide in the preceding gubernatorial election. If nominations are not provided then the election supervisor may appoint any qualified individual registered to vote.

*Alaska Stat. § 15.10.120(b), (c) (Thomson/West 2006).*

### Term Requirements

Election officials authorized under *Alaska Stat. § 15.10.120* shall be appointed by the regional election supervisor for a term specified in a letter of agreement.

*6 Alaska Admin. Code 25.032 (Thomson/West 2006).*

### Compensation and Hour Requirements

Election board workers will be paid \$9.50 an hour for time spent at their election duties.

*6 Alaska Admin. Code 25.035(a) (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

No statutory training requirement. Before entering upon the duties of office, each election official shall take an oath to honestly, faithfully, and promptly perform the duties of office.

*Alaska Stat. § 15.15.110 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

A familial relationship may not exist between a candidate and an election official in primary, general or special elections.

*6 Alaska Admin Code 25.033 (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited from the date of the conviction through the date of the unconditional discharge if convicted of a crime that constitutes a felony involving moral turpitude under State or Federal law.

*Alaska Stat. § 15.05.030 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

No person may vote who has been judicially determined to be of unsound mind unless the disability has been removed.

*Alaska Const. Art. V § 2 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

- Aged 16 or older and enrolled in a public or private high school or being educated at home;
- Appointed to the youth vote ambassador program by the director of elections;
- Completed a program of training as determined by the director of elections; and
- Compensated as provided in AS 15.15.390 only for service on the election board of the precinct.

*Alaska Stat. § 15.10.108 (Thomson/West 2006).*



## American Samoa

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*American Samoa Code Ann. § 6.0402 (b) (1) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

### Age Requirement

18 years of age.

*American Samoa Code Ann. § 6.0211 (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

### Residency Place and Term Required for Voter Registration

District.

*American Samoa Code Ann. § 6.0211 (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

Must have lived in American Samoa for a total of at least two years and be a bona fide resident of the election district where offer to vote for at least one year next preceding the election.

*American Samoa Rev. Constit. Art. II § 7 (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

A person does not gain or lose a residency solely by reason of his presence or absence while a student of an institution of learning.

*American Samoa Code Ann. § 6.0212 (e) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

### Residency Requirement for Service (State, County or Precinct)

District, but if not sufficient numbers, then outside the district.

*American Samoa Code Ann. § 6.0402 (b) (1) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation not required. Application forms shall be made available by the Chief Election Officer for those persons who wish to serve as district officials on election day. The Secretary of Samoan Affairs or his designee shall submit a list of all local government officials (i.e., fa'alapega, pulenu'u and leoleo nu'u) to the Chief Election Officer not later than 4:30 p.m. on the 10th day prior to the deadline for filing of candidate nomination petitions. The Chief Election Officer shall appoint, from the list of local government officials and the application forms, the district officials by representative district not later than 4:30 p.m. on the 10th day prior to any election.

*American Samoa Code Ann. § 6.0402 (a) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

The Chief Election Officer may designate more district officials than are needed in order to create a pool of qualified district officials who may be assigned to fill vacancies or to perform those duties as needed in any district. If more qualified persons than are needed for a district desire to serve in that district, service shall be determined by experience in conducting prior elections.

*American Samoa Code Ann. § 6.0402 (b) (2) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

**Term Requirements**

No information available.

**Compensation and Hour Requirements**

District officials shall be paid according to fixed rates established for each election by the Chief Election Officer.

*American Samoa Code Ann. § 6.0406 (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

**Training, Certification and Oath Requirements**

Not later than 4:30 p.m. on the 5th day prior to any election, the Chief Election Officer shall conduct a school of instruction, if considered necessary, for persons designated as prospective district officials.

*American Samoa Code Ann. § 6.0403 (a) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

All prospective district officials shall attend a school of instruction. The supervisor of the district officials shall be required to also attend a refresher course before each election. It shall be at the discretion of the Chief Election Officer to require those district officials with previous training to attend a school of instruction prior to each election.

*American Samoa Code Ann. § 6.0403 (b) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

No district official may serve unless he has received instruction and has been certified by the authorized instructor to that effect. If a certified person is not available, a person who has not received any instruction or certificate, but who is otherwise qualified, may fill a vacancy. Periodic recertification shall be required.

*American Samoa Code Ann. § 6.0403 (c) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

Oath required.

*American Samoa Code Ann. § 6.0404 (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

**Elected Public Officials Prohibited**

No public elected officials are allowed to be an election official.

*Solilai T. Fuimaono, Chief Election Officer (2006).*

**Candidates Prohibited**

"No parent, spouse, child, or sibling of a candidate is eligible to serve as a district official in any district in which votes may be cast for that candidate; nor is any candidate for any elective office eligible to serve as a district official in the same election in which he is a candidate. No candidate who failed of nomination in any election is eligible to serve as a district official in the election next following."

*American Samoa Code Ann. § 6.0402 (b) (3) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

No individual who has actively campaigned for any candidate in any election may serve as a district official within the district, or in the territory-wide elections, in which he had actively campaigned.

*American Samoa Code Ann. § 6.0402 (b) (4) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony unless civil rights restored or maintained good behavior for two years following the date of conviction or release from prison, whichever comes later.

*American Samoa Rev. Constit. Art. II § 7 (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if under guardianship, non compos mentis, or insane.

*American Samoa Rev. Constit. Art. II § 7 (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

**English Fluency and Literacy Requirement**

Should be fluent in both English and Samoan languages.

*Solai T. Fuimaono, Chief Election Officer (2006).*

**Good Reputation Requirement**

May not engage in any campaign activities.

*American Samoa Code Ann. § 6.0402 (d) (<http://www.asbar.org/Newcode/asca.htm>) (2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

No information available.

## Arizona

9

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a qualified voter.

*Ariz. Rev. Stat. § 16-531(A) (Thomson/West 2006).*

A qualified voter is registered.

*Ariz. Rev. Stat. § 16-121(A) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*Ariz. Rev. Stat. § 16-121 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Must reside in State for at least 29 days.

*Ariz. Rev. Stat. § 16-101(A) (3) (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct, then county or other precincts. Must be qualified voter of the precinct to which appointed, unless there are not a sufficient number of people available. If there are no qualified precinct candidates for inspector, the appointment of an inspector may be made from names provided by the county party chairman. If there are not sufficient precinct nominees for judge, qualified persons from other precincts shall be appointed.

*Ariz. Rev. Stat. § 16-531(A) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation required for inspectors, marshals and judges; not required for clerks and in non-partisan elections. At least 20 days before election Board of Supervisors appoints one inspector, one marshal, two judges and at least two clerks to each precinct. Appointments are made from a list of precinct voters submitted by party chairmen at least 90 days before election. Inspectors, marshals and judges shall be members of the two political parties which cast the highest number of votes in the state at the last preceding general election, and shall be divided equally between those parties. There shall be an equal number of inspectors in the various precincts in the county who are members of the two largest political parties. Where the inspector is a member of one party, the marshal shall be a member of the other major party. For clerks no party affiliation required. Any registered voter in the precinct may be appointed.

*Ariz. Rev. Stat. § 16-531(A) (Thomson/West 2006).*

For non-partisan elections appointments are made without consideration for political party.

*Ariz. Rev. Stat. § 16-531(B) (Thomson/West 2006).*

**Term Requirements**

Appointments appear to be for each election.

*Ariz. Rev. Stat. § 16-531(A) (Thomson/West 2006).*

**Compensation and Hour Requirements**

Compensation is fixed by the county board of supervisors. In no case shall an election board member be paid less than 30 dollars per day.

*Ariz. Rev. Stat. § 16-536 (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

Inspectors and judges are required to attend an instructional class in order to receive a certificate of qualification.

*Ariz. Rev. Stat. § 16-532(A) (Thomson/West 2006).*

Premium Board Worker Certification available with 8 hours of instruction and exam. Premium Certification lasts for 30 months.

*Ariz. Rev. Stat. § 16-532(D) (Thomson/West 2006).*

Additional training may be required by county.

*Ariz. Rev. Stat. § 16-532(E) (Thomson/West 2006).*

Oath required.

*Ariz. Rev. Stat. § 16-534(C) (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No United States, State, county or precinct officer, other than a precinct committeeman, is qualified to act as judge, inspector, marshal, or clerk.

*Ariz. Rev. Stat. § 16-531(D) (Thomson/West 2006).*

**Candidates Prohibited**

No candidate for office at the election, other than a candidate for the office of precinct committeeman, is qualified to act as judge, inspector, marshal, or clerk.

*Ariz. Rev. Stat. § 16-531(D) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of treason or a felony, unless restored to civil rights.

*Ariz. Rev. Stat. § 16-101(A) (5) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudicated an "incapacitated person."

*Ariz. Rev. Stat. § 16-101(A) (6) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to write name or make mark, unless prevented from so doing by physical disability.

*Ariz. Rev. Stat. § 16-101(A) (4) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

The board of supervisors may appoint to an election board to serve as a clerk of election a person who is not eligible to vote if all of the following conditions are met:

1. The person is a minor who will be at least 16 years of age at the time of the election for which the person is named to the election board;
2. The person is a citizen of the United States at the time of the election for which the person is named to the election board;
3. The person is supervised by an adult who has been trained as an elections officer;
4. The person has received training provided by the officer in charge of elections; and
5. The parent or guardian of the person has provided written permission for the person to serve.

A school district or charter school shall not count any pupil's absence from one or more instructional programs as a result of the pupil's service on an election board against any mandatory attendance requirements for the pupil.

*Ariz. Rev. Stat. § 16-531(G) & (I) (Thomson/West 2006).*

## Arkansas

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a qualified elector.

*Ark. Code Ann. § 7-4-109(a) (Thomson/West 2006).*

A qualified elector is registered to vote.

*Ark. Code Ann. § 7-1-101(21) (Thomson/West 2006).*

### Age Requirement to Register

Be age 18 years of age or turn 18 years of age before the next election.

*Ark. Const. Amend 51 § 6 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Resident of the county at least 31 days prior to the election.

*Ark. Code Ann. § 7-5-201(a) (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct then county. All election officials shall be residents of the precincts in which they serve at the time of their appointment. However, if at the time of posting election officials, the county board by unanimous vote shall find that it is impossible to obtain qualified election officials from any precinct or precincts and shall make certification of that finding to the county clerk, then other qualified citizens of the county may be designated to serve in the precinct or precincts.

*Ark. Code Ann. § 7-4-109(b) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation generally required. The county board of election commissioners shall appoint a sufficient number of election officials for each polling site not fewer than 20 days preceding an election. Each polling site shall have a minimum of two election clerks, one election judge, and one election sheriff. The minority party election commissioner shall have the option to designate a number of election officials equal to one less than the majority of election officials at each polling site, with a minimum of two election officials at each polling site. In the event that the county party representatives on the county board fail to agree upon any election official to fill any election post allotted to the respective party 20 days before the election, the county board shall appoint the remaining election officials.

*Ark. Code Ann. § 7-4-107(b) (1) (Thomson/West 2006).*

### Term Requirements

No information available.

### Compensation and Hour Requirements

Election officials may be permitted to work half-day or split shifts at the polls at any election so long as the requisite number of election officials is always present.

*Ark. Code Ann. § 7-4-107(d) (Thomson/West 2006).*

The election officials shall receive a minimum of the prevailing federal minimum wage for holding an election, or such greater amount as may be appropriated.

*Ark. Code Ann. § 7-4-112 (Thomson/West 2006).*

### Training, Certification and Oath Requirements

At least one election official at each polling site shall have attended election training coordinated by the State Board of Election Commissioners within 12 months prior to the election.

*Ark. Code Ann. § 7-4-107(b)(1)(B) (Thomson/West 2006).*

Prior to the regularly scheduled preferential primary election, at least two election officials per polling site designated by the county board for each county shall attend election training coordinated by the state board. The state board shall determine the method and amount of compensation for attending the training.

*Ark. Code Ann. § 7-4-109(e) (1) & (2) (Thomson/West 2006).*

Rules for Election Official Training at:

[http://www.sos.arkansas.gov/elections/elections\\_pdfs/register/nov-03/108.00.03-002.pdf](http://www.sos.arkansas.gov/elections/elections_pdfs/register/nov-03/108.00.03-002.pdf) (2006).

Arkansas Election Official Training Manual and other materials at:

<http://www.arkansas.gov/sbec/training.html> (2006).

### Elected Public Officials Prohibited

No person who is a paid employee of any political party shall be an election official.

*Ark. Code Ann. § 7-4-109(c) (Thomson/West 2006).*

No officer holder, appointee or employee of any government entity except justice of peace, alderman, notary public and members of military.

*Ark. Code Ann. § 7-4-109(c); Ark. Const. Art. 3 § 10 (Thomson/West 2006).*

### Candidates Prohibited

No candidates and no candidates' relatives within the second degree of consanguinity if objection to service is made within 10 days of posting name.

*Ark. Code Ann. § 7-4-109(a) (2) & (d) (Thomson/West 2006).*

No person who is a paid employee of any person running for any office.

*Ark. Code Ann. § 7-4-109(c) (Thomson/West 2006).*



**The Effect of Felon Status on Participation**

An election official shall not have been found guilty or pleaded guilty or nolo contendere to the violation of any election law of this state.

*Ark. Code Ann. § 7-4-109(a) (1) (Thomson/West 2006).*

Prohibited if a convicted felon not discharged from probation or parole or has been pardoned. To have rights restored must have proof of discharge from probation or parole, have paid all probation or parole fees, or satisfied all terms of imprisonment, and paid all applicable court costs, fines, or restitution.

*Ark. Const. Amend 51 § 11 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudged mentally incompetent by a court of competent jurisdiction.

*Ark. Const. Amend. 51 § 11 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to read and write the English language.

*Ark. Code Ann. § 7-4-109(a) (1) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute****High School Student**

- If not yet 18 years of age, shall be called an election page (volunteer position without compensation).
- A student who is 18 years of age by the election day and meets the qualifications in § 7-4-109 may be an election official and may be compensated pursuant to § 7-4-112.
- Oath as required by § 7-4-110A.

*Ark. Code Ann. § 7-4-116 (Thomson/West 2006).*

**College Student**

- Selected by the county board from any two-year or four-year college or university in the state. The county board shall work in cooperation with the student government associations of the colleges and universities in selecting the students for the program.
- A college student selected for this program who is not 18 years of age by election day shall be called an election page.
- An election page shall be in a volunteer position and shall not receive any compensation for performing his or her duties.
- Before beginning any duties, an election page shall take an oath before an election official.

- A college student selected for this program who is 18 years of age by election day and meets the qualifications in § 7-4-109 shall be an election official.
  - Each student selected to be an election official shall take the oath of the election officials in § 7-4-110.
- A college student selected to be an election official shall be compensated according to § 7-4-112.

*Ark. Code Ann. § 7-4-117 (Thomson/West 2006).*

## California

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*Cal. Elec. Code §12302(a) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*Cal. Elec. Code § 2000(b) (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Precinct on permanent basis with intention of making it home. A student may qualify as an elector if they have abandoned previous domicile.

*Cal. Elec. Code § 2021(b); Cal. Elec. Code § 2025 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

State. A member of precinct board shall be a voter of the State. The member may serve only in precinct to which appointed.

*Cal. Elec. Code §12302(b) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

No affiliation required. Any voter may file application with elections official to be Precinct Board member.

*Cal. Elec. Code § 12300 (Thomson/West 2006).*

Party affiliation does not appear to be required.

*Cal. Elec. Code § 12108 (Thomson/West 2006).*

Ninety days before election, political party county committee may nominate a registered resident of precinct to board. County officials give preference to nominees of parties with at least 10 percent of registered voters in precinct.

*Cal. Elec. Code § 12306 (Thomson/West 2006).*

### Term Requirements

No information available.

### Compensation and Hour Requirements

Stipend and hours fixed by county.

*Cal. Elec. Code §12310 (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

Currently varies by county. Certain minimum training required for inspectors.

*Cal. Elec. Code § 12309 (Thomson/West 2006).*

Legislation enacting uniform California training standards is pending.

*Cal. Elec. Code § 12309.5 (Thomson/West 2006).*

Binding declaration, to fully discharge duties, required.

*Cal. Elec. Code § 12321 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No information available.

**The Effect of Felon Status on Participation**

Prohibited if in prison or on parole for the conviction of a felony.

*Cal. Elec. Code § 2101; Cal. Const. Art. II, § 4 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if deemed mentally incompetent.

*Cal. Elec. Code § 2208; Cal. Const. Art. II, § 4 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must read and write the English language.

*Cal. Elec. Code § 12303(a) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

Translators. Translators hired where either foreign language speakers are 3 percent or more of population or elections officials determine need.

*Cal. Elec. Code § 12303(b) (c) (Thomson/West 2006).*

**Student Election Assistant Statute**

- At least 16 years of age at the time of the election;
- A high school senior with a grade point average of at least 2.5;
- A student in good standing, attending a public or private secondary educational institution;
- County sets pay, generally between \$40 and \$60.

*Cal. Elec. Code §12302 (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered elector.

*Colo. Rev. Stat. §1-6-101(1) (Thomson/West 2006).***Age Requirement**

18 years of age.

*Colo. Rev. Stat. §1-2-101(1) (a) (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

State and precinct 30 days immediately prior to the date in which the person wants to vote.

*Colo. Rev. Stat. §1-2-101(1) (b) (Thomson/West 2006).*

Political subdivisions (counties) may provide additional or alternative qualifications for a person to become an eligible elector of a political subdivision.

*Colo. Rev. Stat. §1-2-104, Colo. Rev. Stat. §1-1-104(1.5) (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)**

County then State. Must be political subdivision (county) resident. If enough registered electors of the political subdivision (county) are not available, then the appointing authority may appoint election judges who are registered electors of the State.

*Colo. Rev. Stat. §1-6-101(3) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation generally required. For partisan elections in precincts that have an even number of election judges, each major political party is entitled to one-half of the election judges. For partisan elections in precincts that have an odd number of election judges, the major political parties divide the appointments of the extra election judges.

*Colo. Rev. Stat. § 1-6-109(1) & (2) (Thomson/West 2006).*

No later than 10 days after the precinct caucus in even-numbered years, the committeepersons of each precinct from each major political party shall submit to the county chairpersons of their respective political parties a list that was initiated at the precinct caucus and that recommends electors as election judges.

*Colo. Rev. Stat. § 1-6-102(1) (Thomson/West 2006).*

No later than the last Tuesday of April in even-numbered year, minor political parties may certify to the county clerk and recorder names of registered electors recommended to serve as election judges.

*Colo. Rev. Stat. § 1-6-103.5 (Thomson/West 2006).*

No later than the last Tuesday of April in even-numbered years, any registered elector who is unaffiliated with a political party or political organization may give notice in writing to the clerk and recorder of the county in which such elector resides offering to serve as an election judge.

*Colo. Rev. Stat. § 1-6-103.7 (Thomson/West 2006).*

If there are insufficient numbers on major party lists, then county clerk may appoint from lists submitted by minor political parties and unaffiliated voters.

*Colo. Rev. Stat. § 1-6-104(3) (Thomson/West 2006).*

### Term Requirements

An election judge for a precinct shall serve for a two-year period beginning on the last Tuesday of May in even-numbered years and ending on the last Monday in May of the next even-numbered year or until replaced.

*Colo. Rev. Stat. § 1-6-104(1) (Thomson/West 2006).*

### Compensation and Hour Requirements

Stipend varies by county, but is not less than \$5. A student election judge may receive the same compensation received by an election judge, but, in any case, not less than 75 percent of the compensation received by an election judge.

*Colo. Rev. Stat. § 1-6-115 (Thomson/West 2006).*

### Training, Certification and Oath Requirements

Attend a mandatory election judge class prior to each election at which they work.

*Colo. Rev. Stat. § 1-6-101(2) (c) (Thomson/West 2006).*

County may require more training than State.

*Colo. Rev. Stat. § 1-6-101(6) (Thomson/West 2006).*

Oath required.

*Colo. Rev. Stat. § 1-6-114 (Thomson/West 2006).*

### Elected Public Officials Prohibited

No information available.

### Candidates Prohibited

Candidate whose name appears on the ballot in the precinct that he is appointed to serve is prohibited. Candidate's immediate family members, related by blood or marriage to the second degree, are also prohibited.

*Colo. Rev. Stat. § 1-6-101(2) (e) (Thomson/West 2006).*

### The Effect of Felon Status on Participation

Prohibited if ever been convicted of election fraud, any other election offense, or fraud.

*Colo. Rev. Stat. § 1-6-101(2) (d) (Thomson/West 2006).*

Prohibited while serving a sentence of detention or confinement in a correctional facility, jail, or other location for a felony conviction or while serving a sentence of parole.

*Colo. Rev. Stat. § 1-2-103(4) (Thomson/West 2006).*

### The Effect of Mental Incapacitation on Participation

Prohibited if physically and mentally unable to perform and complete assigned tasks.

*Colo. Rev. Stat. § 1-6-101(c) (Thomson/West 2006).*

However, no person confined in a state institution for the mentally ill shall lose the right to vote because of the confinement.

*Colo. Rev. Stat. § 1-2-103(5) (Thomson/West 2006).*

### English Fluency and Literacy Requirement

Must be physically and mentally able to perform and complete assigned tasks.

*Colo. Rev. Stat. § 1-6-101(c) (Thomson/West 2006).*

### Good Reputation Requirement

No information available.

### Alternative Positions with Different Requirements

Translators. If the county clerk and recorder find that a precinct is composed of three percent or more non-English-speaking eligible electors, the county clerk and recorder shall take affirmative action to recruit full-time or part-time staff members who are fluent in the language used by the eligible electors and in the English language.

*Colo. Rev. Stat. § 1-2-202(4) (Thomson/West 2006).*

### Student Election Assistant Statute

- US citizen at time of election;
- Physically and mentally able to perform assigned tasks;
- Attend a class of instruction prior to each election;
- Never been convicted of election fraud, any other election offense, or fraud;
- Not a member of the immediate family of a candidate whose name appears on the ballot in the precinct that he is appointed to serve;
- 16 years of age or older;
- In good standing attending a public, private secondary school, or home schooled; and
- Parent or legal guardian has consented to their service as a student election judge.

*Colo. Rev. Stat. 1-6-101(7) (Thomson/West 2006).*

Compensated either at the same rate, or not less than 75 percent of the rate, of an adult election judge.

*Colo. Rev. Stat. §1-6-115 (Thomson/West 2006).*



## Connecticut

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Moderators or checkers must be electors of the town.

*Conn. Gen. Stat. § 9-258; Conn. Gen. Stat. § 9-436(d) (Thomson/West 2006).*

Voting machine tenders and unofficial checkers must be registered electors.

*Conn. Gen. Stat. § 9-233; Conn. Gen. Stat. § 9-235; Conn. Gen. Stat. § 9-12(a) (Thomson/West 2006).*

Voting machine mechanics do not have to be electors.

*Conn. Gen. Stat. § 9-258 (Thomson/West 2006).*

### Age Requirement

18 years of age.

*Conn. Gen. Stat. § 9-12(a) (Thomson/West 2006).*

16 or 17 years of age if meets qualification of Conn. Gen. Stat. § 9-235d (a).

### Residency Place and Term Required for Voter Registration

Bona fide resident of the town to which the citizen applies.

*Conn. Gen. Stat. § 9-12(a) (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Generally town or district.

*Conn. Gen. Stat. § 9-229(a); Conn. Gen. Stat. § 9-233; Conn. Gen. Stat. § 9-234; Conn. Gen. Stat. § 9-235; Conn. Gen. Stat. § 9-258 (Thomson/West 2006).*

Voting machine mechanics do not have residency requirements.

*Conn. Gen. Stat. § 9-258 (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation generally required. Election officials shall be appointed at least 20 days before the election except as provided in § 9-229.

*Conn. Gen. Stat. § 9-249(a) (Thomson/West 2006).*

The election officials of each polling place, except voting machine mechanics, shall be electors of the town and shall consist of one moderator, two checkers, two registrars of voters or two assistant registrars of voters, as the case may be, of opposite political parties.

*Conn. Gen. Stat. § 9-258 (Thomson/West 2006).*

The registrars of voters in towns/districts appoint moderators and designate alternate moderators as a reserve group.

*Conn. Gen. Stat. § 9-229(a) (Thomson/West 2006).*

Registrars also appoint least one, and not more than two, electors of such town as voting machine tenders, unless the municipality has established two shifts for election officials, in which case the registrars shall appoint one or two electors for each shift.

*Conn. Gen Stat. § 9-233 (Thomson/West 2006).*

Registrars shall appoint some suitable person to be a checker of the voting list in each district, unless the municipality has established two shifts.

*Conn. Gen Stat. § 9-234 (Thomson/West 2006). (Conn. Gen Stat. § 9-258 requires two checkers).*

For primaries, registrars shall appoint from among the enrolled party members in the municipality or political subdivision holding the primary, as the case may be. If numbers are insufficient may appoint from larger geographic area or from outside the party.

*Conn. Gen Stat. § 9-436(d) (Thomson/West 2006).*

At any election or primary, any person may serve as a runner solely to enter and leave a polling place and the restricted area surrounding the polling place for the purpose of taking outside the polling place and said area, information identifying electors who have cast ballots at such election or primary.

*Conn. Gen Stat. § 9-235b (Thomson/West 2006).*

The role of unofficial checker ("party" checker) is present to allow political parties to keep track of the number of persons voting during an election. Appointments are from the town party chairman's list which must be provided 48 hours in advance.

*Conn. Gen Stat. § 9-235 (Thomson/West 2006).*

#### **Term Requirements**

Moderators are certified for four year terms but must be appointed prior to each election.

*Conn. Gen Stat. § 9-229(c) (Thomson/West 2006).*

Voting machine tenders, checkers, and unofficial checkers are appointed prior to each election.

*Conn. Gen Stat. § 9-233; Conn. Gen Stat. § 9-234; Conn. Gen Stat. § 9-235(a) (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

Part-time available for voting machine tenders, checkers, and unofficial checkers.

Each municipality, by a majority vote of its legislative body, may establish, except for unofficial checkers and the moderator, two shifts of election officials for each polling place. However, all members of both shifts who are required to sign returns, including checkers and assistant registrars, if any, of both shifts, shall be present at the closing of the polls and shall remain until all returns have been executed.

*Conn. Gen Stat. § 9-258(a) (Thomson/West 2006).*

Registrar decides if unofficial checkers can work in shifts.

*Conn. Gen Stat. § 9-235(b) (Thomson/West 2006).*

Election official compensation is set by municipality or subdivision.

*Conn. Gen Stat § 7-460 (Thomson/West 2006).*

An unofficial checker appointed pursuant to this section may receive compensation from the municipality in which the election is held.

*Conn. Gen Stat. § 9-235(d) (Thomson/West 2006).*

### **Training, Certification and Oath Requirements**

Instruction is given to moderators in accordance with a curriculum devised by the Secretary of State.

*Conn. Gen Stat. § 9-229(b) (Thomson/West 2006).*

Secretary of State issues a four year certification to each candidate for moderator who successfully completes an instructional session and an examination administered by the secretary. Certification is required to serve as a moderator.

*Conn. Gen Stat. § 9-229(c) (Thomson/West 2006).*

Registrars, certified moderator and certified mechanic shall instruct each election official who is to serve in a voting district in which a voting machine is to be used in the use of the machine and his duties in connection therewith.

*Conn. Gen Stat. § 9-249(a) (Thomson/West 2006).*

Election officials shall attend the elections training program developed under subdivision (1) of subsection (c) of § 9-192a and any other meeting or meetings as are called for the purpose of receiving such instructions concerning their duties as are necessary for the proper conduct of the election.

*Conn. Gen Stat. § 9-249(b) (Thomson/West 2006).*

Each election official who qualifies for and serves in the election shall be paid not less than one dollar for the time spent in receiving such instruction, in the same manner and at the same time as the official is paid for the official's services on election day.

*Conn. Gen Stat. § 9-249(c) (Thomson/West 2006).*

No election official shall serve in any election unless the official has received such instruction and is fully qualified to perform the official's duties in connection with the election, but this shall not prevent the appointment of an election official to fill a vacancy in an emergency.

*Conn. Gen Stat. § 9-249(d) (Thomson/West 2006).*

Oath required.

*Conn. Gen Stat. § 9-231 (Thomson/West 2006).*

### **Elected Public Officials Prohibited**

No information available.

### **Candidates Prohibited**

A known candidate for any office shall not serve as an election official on election day or serve at the polls in any capacity, except that a municipal clerk or a registrar of voters, who is a candidate for the same office, may perform his official duties.

*Conn. Gen Stat. § 9-258 (Thomson/West 2006).*

No candidate or member of the immediate family of a candidate shall transport, prepare, repair or maintain a voting machine. No provision of this section shall prohibit (1) a member of the immediate family of a candidate from serving as a moderator or (2) a candidate for the office of registrar of voters or a member of the immediate family of such a candidate from serving as a voting machine mechanic.

*Conn. Gen Stat. § 9-247a (Thomson/West 2006).*

No candidate for an office in an election may be an unofficial checker.

*Conn. Gen Stat. § 9-235(d) (Thomson/West 2006).*

No candidate may perform the functions of a runner.

*Conn. Gen Stat. § 9-235b (Thomson/West 2006).*

#### **The Effect of Felon Status on Participation**

Prohibited until rights are restored. Prohibited, if convicted of a felony and committed to confinement in a federal or other state correctional institution or facility or community residence, until submission of written or other satisfactory proof to the admitting official, that all fines in conjunction with the conviction have been paid and that such person has been discharged from confinement, and, if applicable, parole.

*Conn. Gen Stat. § 9-46; Conn. Gen Stat. § 9-46(a) (Thomson/West 2006).*

Note: Because voting machine mechanics do not have to be electors, this prohibition applies to all election officials other than voting machine mechanics.

*Conn. Gen Stat. § 9-258 (Thomson/West 2006).*

#### **The Effect of Mental Incapacitation on Participation**

Prohibited if mentally incompetent.

*Conn. Gen Stat. § 9-12(a) (Thomson/West 2006).*

Note: Because voting machine mechanics do not have to be electors, this prohibition applies to all election officials other than voting machine mechanics.

*Conn. Gen Stat. § 9-258 (Thomson/West 2006).*

#### **English Fluency and Literacy Requirement**

No information available.

#### **Good Reputation Requirement**

No information available.

#### **Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

May be appointed as a checker, translator or voting machine tender in an election if:

- 16 or 17 years of age;
- A bona fide resident of a town;
- Attend poll worker training; and
- Receive the written permission of a parent, guardian or the principal of the school that the citizen attends if the citizen is a secondary school student and the citizen is to be appointed to work on a day when such school is in session.

*Conn. Gen Stat. § 9-235d (a) (Thomson/West 2006).*

## Delaware

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### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

15 Del. Code Ann. §4701(a) (Thomson/West 2006).

### Age Requirement

18 years of age.

15 Del. Code Ann. §1701.

College student exception- If under 18 years of age must provide authorization signed by faculty member or school dean.

15 Del. Code Ann. §4701(a) (2) (Thomson/West 2006).

### Residency Place and Term Required for Voter Registration

For purpose of election officer position must be a citizen and bona fide resident of the State.

15 Del. Code Ann. §1701 (Thomson/West 2006).

A bona fide State resident is one "who shall have been a resident thereof one year next preceding an election, and for the last three months a resident of the county, and for the last thirty days a resident of the election district."

Del. Const., Art. 5, §2 (Thomson/West 2006).

### Residency Requirement for Service (State, County or Precinct)

District then county. Election district residency required unless insufficient numbers require appointments of county residents.

15 Del. Code Ann. §4701(a).

College student exception. Delaware residents who are registered voters and who are enrolled as at least half-time students in colleges or universities within the respective county may be appointed as election officers for that county.

15 Del. Code Ann. §4701(a) (2) (Thomson/West 2006).

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation generally required. The county executive committee of each of the two principal political parties shall submit no later than February 1st of each general election year a list containing the names of eight registered voters for each election district in the county. Election officers will be appointed from lists unless the names submitted are not sufficient, in which case the department of elections will make appointments first from election district and secondarily from representative district (county). No more than bare majority of election officers may be from same political party.

15 Del. Code Ann. §4701(a) (Thomson/West 2006).

**Term Requirements**

During the month of April in each general election year each department shall appoint election officers and their term shall last from the day of their appointment to April 1st of the next general election year.

15 Del. Code Ann. §4701(b) (1) (Thomson/West 2006).

**Compensation and Hour Requirements**

The compensation for election officers is set at the rates in effect as of January 1, 2005. These rates may be adjusted periodically as authorized in the State's Budget Act. Election officers shall be paid \$15 for each day's service in performing any duty required on a day other than a day of an election except as otherwise provided in this title. Election officers required to attend an additional training session other than that required in § 4741 shall be paid \$25 for that training.

15 Del. Code Ann. §4707 (Thomson/West 2006).

**Training, Certification and Oath Requirements**

The departments of elections shall train the appointed election officers on their duties. This training shall include instruction on applicable election law, the proper conduct of the election and operation of the voting machines.

15 Del. Code Ann. §4741 (Thomson/West 2006).

Oath required.

15 Del. Code Ann. §4904 (Thomson/West 2006).

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No information available.

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony.

15 Del. Code Ann. §1701 (Thomson/West 2006).

Prohibited for 10 years following conviction and sentence if convicted of election offense pursuant to Delaware Constitution Article V, § 7.

15 Del. Code Ann. §1701 (Thomson/West 2006).

Felons *other than* those who have been convicted of murder, manslaughter, certain sexual crimes, or offenses against offices of public administration such as bribery, can either seek a pardon or wait five years from the completion of their sentence for their rights to be restored.

Del. Const., Art. 5, §2, ch. 2 (Thomson/West 2006).

*Note: There appears to be a conflict between the Delaware Constitution and the statute regarding whether felons may ever qualify to register to vote.*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudged mentally incompetent. The term "adjudged mentally incompetent" refers to a specific finding in a judicial guardianship or equivalent proceeding, based on clear and convincing evidence that the individual has a severe cognitive impairment which precludes exercise of basic voting judgment.

15 Del. Code Ann. §1701 (Thomson/West 2006).

**English Fluency and Literacy Requirement**

Must be able to read Delaware's Constitution in the English language and write his or her name; but these requirements shall not apply to any person who by reason of physical disability shall be unable to comply therewith.

Del. Const., Art. 5, §2, Cl. 1 (Thomson/West 2006).

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

County executive committee of each of the two principal political parties may nominate or the county departments of elections may recruit students if:

- Delaware citizen;
- Full-time student;
- At least 16 years of age on or before November 1st in the year of a general election; and
- Has an authorization signed by the person's parent or guardian as well as the principal of the school the student attends.

15 Del. Code Ann. §4701(a) (1) (Thomson/West 2006).

**College Students Registered Out of County**

Counties may appoint Delaware residents who are registered voters, and who are enrolled as at least half-time students in colleges or universities within the respective county, as election officers for that county. If student is under 18 years of age on or before the day of the general election, student shall present an authorization signed by a faculty member or dean of the school they attend, on the form promulgated by the commissioner of elections, to the respective county departments of elections prior to being appointed.

15 Del. Code Ann. §4701(a) (2) (Thomson/West 2006).



## District of Columbia

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a qualified registered elector.

*D.C. Code Ann. §1-1001.05(e) (4) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*D.C. Code Ann. §1-1001.02 (2) (b) (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

District resident or domiciliary for 30 days preceding election.

*D.C. Code Ann. §1-1001.02 (2) (a) (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

District.

*D.C. Code Ann. §1-1001.05(e)(4) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

No affiliation required.

### Term Requirements

No information available.

### Compensation and Hour Requirements

On the Monday, prior to election day, all workers will meet at their assigned polling place to receive their supplies and set-up their work stations; this usually takes two to three hours. On election day, approximately 6:15 a.m. to 9:00 p.m. or until released by precinct captain. Time is also required for mandatory training.

Stipends: captain \$150 per election, captain trainee \$125 per election, and polling place workers \$100 per election.

*[http://www.dcboee.org/serv/elec\\_day/payment.shtml](http://www.dcboee.org/serv/elec_day/payment.shtml) (2006).*

### Training, Certification and Oath Requirements

Orientation program where applicant is provided general information on the District's voting system. A quiz is given to test applicant's interest in the work and retention abilities. Applicants passing the quiz will be

<sup>1</sup> Many Board of Elections & Ethics rules on poll workers are not formally codified, but are posted on web site, [http://www.dcboee.org/serv/elec\\_day\\_work\\_index.shtml](http://www.dcboee.org/serv/elec_day_work_index.shtml) (2006).

invited to complete a formal application. Persons successfully completing the orientation program will attend a mandatory training session on the duties and responsibilities of each member of the polling place team.  
[http://www.dcboee.org/serv/elec\\_day/Recruitment.shtml#orientation](http://www.dcboee.org/serv/elec_day/Recruitment.shtml#orientation) (2006).

#### **Elected Public Officials Prohibited**

No information available.

#### **Candidates Prohibited**

No information available.

#### **The Effect of Felon Status on Participation**

Incarcerated felons prohibited.

*D.C. Code Ann. §1-1001.02 (7) (a) (Thomson/West 2006).*

#### **The Effect of Mental Incapacitation on Participation**

Prohibited if adjudged mentally incompetent.

*D.C. Code Ann. §1-1001.02 (2) (C) (Thomson/West 2006).*

#### **English Fluency and Literacy Requirement**

No information available.

#### **Good Reputation Requirement**

No information available.

#### **Alternative Positions with Different Requirements**

Precinct Technician College Pollworker Program. Program for college students who are not "qualified registered electors." Part day possible. Training required.

*D.C. Code Ann. §1-1001.05(e) (4) (Thomson/West 2006); Information received by DCBOEE.*

#### **Student Election Assistant Statute**

- At least 16 years of age;
- Resident of the District of Columbia; and
- Enrolled in or have graduated from a public or private secondary school or an institution of higher education.

*D.C. Code Ann. §1-1001.05(e) (4)*

May choose between receiving stipend and community service hours and part day is possible.

[http://www.dcboee.org/serv/Download\\_index.shtml](http://www.dcboee.org/serv/Download_index.shtml) (2006).

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered, qualified elector.

*Fla. Stat. §102.012(2) (Thomson/West 2006).*

**Age Requirement**

18 years of age or 17 years of age and pre-registered.

*Fla. Stat. §97.041(1) (b); Fla. Stat. §102.012(2) (Thomson/West 2006).*

**Residency Place and Term Required for Voter Registration**

State and county residency.

*Fla. Stat. §97.041 (1) (a) 3 & 4 (Thomson/West 2006).*

**Residency Requirement for Service (State, County or Precinct)**

County.

*Fla. Stat. §102.012(2) (Thomson/West 2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

No affiliation required. At least 20 days before election the county supervisor of elections appoints election board, comprised of clerks and inspectors, for each precinct.

*Fla. Stat. §102.012(1) (Thomson/West 2006).*

No election board can consist solely of members of one party, unless it's a primary where only one party has candidates on ballot, and then all workers may be members of that party.

*Fla. Stat. §102.012(2) (Thomson/West 2006).*

**Term Requirements**

No information available.

**Compensation and Hour Requirements**

6:00 a.m. until at least 7:00 p.m. or until all voters in line at official poll closing have had an opportunity to vote and duties have been discharged.

*Fla. Stat. §100.011(1); Fla. Stat. §102.012(4) (Thomson/West 2006).*

Compensation for precinct service required and determined by county supervisors.

*Fla. Stat. §102.021(1) (Thomson/West 2006).*

Compensation for training available.

*Fla. Stat. §112.061 (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

County supervisor of elections must provide training pursuant to uniform statewide training curriculum. Minimum three hours for clerks and two hours for inspectors. Clerks must demonstrate working knowledge of laws and procedures relating to voter registration, system operation, balloting and polling procedures, and conflict and problem resolution skills.

*Fla. Stat. §102.014(1), (4) (a) & (b) (Thomson/West 2006).*

Oath required.

*Fla. Stat. §102.012(1) (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

Opposed candidates prohibited.

*Fla. Stat. §102.012(2) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if has been convicted of any felony by any court of record and not had right to vote restored pursuant to law.

*Fla. Stat. §97.041 (2) (b); Fla. Const. Art. VI, § 4 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudicated mentally incapacitated with respect to voting in any state, and right to vote has not been restored pursuant to law.

*Fla. Stat. §97.041 (2) (a); Fla. Const. Art. VI, § 4 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must read and write the English language.

*Fla. Stat. §102.012(2) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

No information available.

## Georgia

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Voter registration not required.

*Ga. Code Ann. §21-2-92 (Thomson/West 2006).*

**Age Requirement**

16 years of age.

*Ga. Code Ann. §21-2-92 (Thomson/West 2006).*

**Residency Place and Term Required for Voter Registration**

Not relevant.

**Residency Requirement for Service (State, County or Precinct)**

County or municipality. In the case of municipal elections, must be resident of the municipality in which the election is to be held or of the county in which that municipality is located.

*Ga. Code Ann. §21-2-92(a) (Thomson/West 2006).*

However, where municipal election is held in conjunction with a regular county, State, or Federal election, poll officers assigned by the county election superintendent shall also be authorized to serve as poll officers to conduct such municipal election or primary and shall not be required to be residents of said municipality.

*Ga. Code Ann. §21-2-92(b) (Thomson/West 2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation not required. The political parties involved can submit a list of qualified persons for consideration in making appointments for precinct managers. When such lists are submitted to the appropriate office, the superintendent or municipal governing authority, insofar as practicable, will make appointments so that there is equal representation on the boards for the political parties involved.

*Ga. Code Ann. §21-2-90 (Thomson/West 2006).*

**Term Requirements**

No term requirements.

**Compensation and Hour Requirements**

Compensation is fixed and paid by the county or, in the case of municipal elections, by the governing authority. In some counties with a population of 200,000 or more according to most current census, the minimum compensation for the chief manager is \$95 per day; the minimum pay for assistant managers is \$66 per day; minimum pay for clerks is \$60 per day.

*Ga. Code Ann. §21-2-98 (Thomson/West 2006).*

### Training, Certification and Oath Requirements

Training and certificate required to work at polls. County election superintendent must provide adequate training to all poll officers and poll workers prior to each general primary and general election and each special primary and special election. Each poll officer must receive a certificate from the election superintendent. However, such training is not required for a special election that is held between the date of the general primary and general election.

*Ga. Code Ann. §21-2-99(a) (Thomson/West 2006).*

### Elected Public Officials Prohibited

No person who is holding public office, other than a political party office, is eligible to serve as a poll officer.

*Ga. Code Ann. §21-2-92 (Thomson/West 2006).*

### Candidates Prohibited

No candidates and close relatives (parent, spouse, child, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law) are eligible to serve as a poll officer in any precinct in which such candidate's name appears on the ballot in any primary or election.

*Ga. Code Ann. §21-2-92 (Thomson/West 2006).*

### The Effect of Felon Status on Participation

Prohibited if, under the laws of any state or the United States, individual is convicted and sentenced, in any court of competent jurisdiction, for fraudulent violation of primary or election laws, malfeasance in office, or felony involving moral turpitude, unless civil rights have been restored and at least 10 years have elapsed from the date of the completion of the sentence without a subsequent conviction of another felony involving moral turpitude. Additionally, the person shall not be holding illegally any public funds.

*Ga. Code Ann. §21-2-8 (Thomson/West 2006).*

### The Effect of Mental Incapacitation on Participation

Prohibited if not a judicious, intelligent, and upright citizen.

*Ga. Code Ann. §21-2-92(a) (Thomson/West 2006).*

### English Fluency and Literacy Requirement

All poll officers must be able to read, write, and speak the English language.

*Ga. Code Ann. § 21-2-92(a) (Thomson/West 2006).*

### Good Reputation Requirement

Shall be judicious, intelligent, and upright citizens.

*Ga. Code Ann. §21-2-92(a) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

None.

**Student Election Assistant Statute**

Anyone over the age of 16 can serve if meets all other qualifications.  
*Ga. Code Ann. §21-2-92(a) (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

3 Guam Code Ann. § 4105 (Thomson/West 2006).

**Age Requirement**

18 years of age.

3 Guam Code Ann. § 3101 (Thomson/West 2006).

**Residency Place and Term Required for Voter Registration**

Resident of Guam for general elections and resident of municipality for municipal elections.

3 Guam Code Ann. § 3101 (Thomson/West 2006).

**Residency Requirement for Service (State, County or Precinct)**

District.

3 Guam Code Ann. § 4105(a) (Thomson/West 2006).

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation not required. Not less than 60 days prior to any election the election commission appoints the members of the several precinct boards.

3 Guam Code Ann. § 4103 (Thomson/West 2006).

No affiliation required in statute.

3 Guam Code Ann. § 4105(a) (Thomson/West 2006).

**Term Requirements**

No information available.

**Compensation and Hour Requirements**

\$170 for services rendered for each election.

3 Guam Code Ann. § 4104 (Thomson/West 2006).

**Training, Certification and Oath Requirements**

The election commission, pursuant to the Administrative Adjudication Act, shall set forth a training program for precinct board members which shall include passage of a standardized examination of the precinct board members' knowledge of the election laws necessary to perform their duties.

3 Guam Code Ann. § 4105 (Thomson/West 2006).

Oath required.

3 Guam Code Ann. § 4106 (Thomson/West 2006).



**Elected Public Officials Prohibited**

No person holding an elective office is eligible to serve as a poll officer.  
*3 Guam Code Ann. § 4104 (Thomson/West 2006).*

**Candidates Prohibited**

No person who is a candidate or nominee for elective office is eligible to serve as a poll officer.  
*3 Guam Code Ann. § 4104 (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if committed under a sentence of imprisonment.  
*3 Guam Code Ann. § 3101 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if confined to a mental institution or judicially declared insane.  
*3 Guam Code Ann. § 3101 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must read or write the English language.  
*3 Guam Code Ann. § 4105 (Thomson/West 2006).*

**Good Reputation Requirement**

Election commission shall remove any such officials who shall be found guilty of nonfeasance or misfeasance in connection with the performance of their duties relative to the conduct of elections.  
*3 Guam Code Ann. § 2103(e) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

The election commission may appoint to the position of clerk, not more than two students per precinct possessing the following qualifications:

- 16 years old at the time of the election;
- U.S. citizen;
- Is a student in good standing attending a public or private secondary educational institution; and
- Is a senior and has a grade point average of at least 2.5 on a 4.0 scale.

*3 Guam Code Ann. § 4105(b) (Thomson/West 2006).*

## Hawaii

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**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Qualified, non-registered individuals may serve where there are no registered voters available.

*Haw. Rev. Stat. Ann. § 11-72(b) (1) (Thomson/West 2006).***Note:** Non-registered voters have never actually been used. To work at the polls, a non-registered voter would still have to be eligible to register, which includes being a U.S. citizen, a resident of Hawaii, and at least 18 years old.*Rhowell Ruiz, Voter Services Specialist, Office of Elections, Hawaii (2006).***Age Requirement**

18 years of age.

*Haw. Rev. Stat. Ann. § 11-11 (Thomson/West 2006).*

16 years of age under certain circumstances. An individual who is otherwise qualified to register and is at least 16 years of age is allowed to pre-register upon satisfactory proof of age and be automatically registered upon reaching 18 years of age.

*Haw. Rev. Stat. Ann. § 11-12(b) (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

County and precinct residence. The residence of a person is that place in which the person's habitation is fixed, and to which, whenever the person is absent, the person has the intention to return.

*Haw. Rev. Stat. Ann. § 11-13(1) (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)**

Precinct, then district, then non-registered. Precinct residents, but if qualified persons in the precinct are not available to serve, appointments may be made from the representative district. If there are still not enough officials, otherwise qualified individuals, even if they are not registered voters, may serve if they have reached the age of 16 by June 30 of the election year.

*Haw. Rev. Stat. Ann. § 11-72(b) (1) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation generally required. So far as reasonably practicable, excepting the chairperson of the precinct officials, not more than 50 percent of the precinct officials in a precinct can be of the same political party.

*Haw. Rev. Stat. Ann. § 11-71 (Thomson/West 2006).*

All qualified political parties must submit names for precinct officials to the chief election officer no later than 4:30 p.m. on the 60th day prior to the close of filing for any primary, special primary or special election. If any party fails to submit the required names by the above deadline, or names sufficient to fill the positions to which it would be entitled, assignment of positions to which the party would otherwise be entitled may be made without regard to party affiliation.

*Haw. Rev. Stat. Ann. § 11-72(a) (Thomson/West 2006).*

**Term Requirements**

No information available.

**Compensation and Hour Requirements**

Precinct officials working in electronic ballot and voting machine elections are compensated pursuant to a schedule established by the chief election officer.

*Haw. Rev. Stat. Ann. § 11-76(a) (Thomson/West 2006).*

Precinct officials working in elections with paper ballots receive the same base amounts as they would in an electronic ballot election as well as \$5 for each three hundred ballots or portion thereof cast at that precinct.

*Haw. Rev. Stat. Ann. § 11-76(b) (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

New poll workers are required to attend training prior to each election and to pass a certification exam; it is at the discretion of the chief election officer or the county clerk to require those poll workers with previous elections experience and training to attend additional training. When a qualified certified person is not available, a person who has not received such instruction or such certificate but who is otherwise qualified to fill a vacancy among precinct officials, may be assigned. Periodic recertification shall be required.

*Haw. Rev. Stat. Ann. § 11-73 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No candidate for elective office may serve as a precinct official in the same election in which the person is a candidate. No candidate who failed to be nominated in the primary or special primary election may serve as a precinct official in the following general election. No parent, spouse, reciprocal beneficiary, child, or sibling of a candidate may serve as a precinct official in any precinct where votes may be cast for the candidate.

*Haw. Rev. Stat. Ann. § 11-72(b) (3) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if sentenced for a felony, from the time of the person's sentence until the person's final discharge, but if execution of sentence is suspended with or without the defendant being placed on probation or the defendant is paroled after commitment to imprisonment, the defendant may vote during the period of the suspension or parole.

*Haw. Const. Art II § 2; Haw. Rev. Stat. Ann. § 831-2(a) (1) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if *non compos mentis*.

*Haw. Const. Art II § 2 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Precinct officials shall be able to read and write the English language.

*Haw. Rev. Stat. Ann. § 11-72(a) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

If qualified persons either in or without the precinct or representative district are not available to serve, the chief election officer may designate precinct officials who are not registered voters if the persons so designated are otherwise qualified and shall have attained the age of 16 years on or before June 30, of the year of the election in which they are appointed to work.

*Haw. Rev. Stat. Ann. §11-72(b) (1) (Thomson/West 2006).*

## Idaho

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

No registration required.

*Tim Hurst, Chief Deputy of Secretary of State's office (2006).*

**Age Requirement**

No statutory age requirement, but "Qualified" in *Idaho Code* § 34-303 means capable of performing the functions of a poll worker and is left to the discretion of the county clerk.

*Tim Hurst, Chief Deputy of Secretary of State's office (2006).*

**Residency Place and Term Required for Voter Registration**

Not applicable.

**Residency Requirement for Service (State, County or Precinct)**

Precinct or county. "The precinct committeemen shall recommend persons for the position in their respective precincts to the county clerk..."

*Idaho Code* § 34-303 (*Thomson/West* 2006).

There is no statutory requirement that poll workers work in their own precinct, however, that has been the practice.

*Tim Hurst, Chief Deputy of Secretary of State's office (2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation preferred. The precinct committeemen shall recommend persons for the position in their respective precincts to the county clerk in writing at least 10 days prior to the date on which any appointment shall be made and the county clerk shall appoint the judges from such lists if the persons recommended are qualified.

*Idaho Code* § 34-303 (*Thomson/West* 2006).

Each election board must "contain personnel representing all existing political parties if a list of applicants has been provided to the county clerk by the precinct committeemen of the precincts" at least 60 days prior to a primary election.

*Idaho Code* § 34-303 (*Thomson/West* 2006).

Since Idaho is an open primary State, poll workers are appointed from the list of people provided by the precinct committeemen and it is assumed that they are from the respective parties. If names are not submitted, the county clerk can select whomever he/she chooses to serve without regard to party affiliation.

*Tim Hurst, Chief Deputy of Secretary of State's office (2006).*

**Term Requirements**

No information available.

**Compensation and Hour Requirements**

Compensation is determined by the board of county commissioners but is not less than the minimum wage as prescribed by the laws of the state.

*Idaho Code § 34-303 (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

Elections in which voting machines are used.

- (1) Before each election at which voting machines or vote tally systems are to be used, the county clerk of a county, or the clerk of a city, district or other political subdivision, in which voting machines or vote tally systems are to be used, shall cause them to be properly prepared and shall cause the election board to be properly instructed in their use.
- (2) For the purpose of giving such instruction, the county clerk shall call the meeting or meetings of the election board that are necessary. Each election board shall attend the meetings and receive the instruction necessary for the proper conduct of the election with the machine or vote tally system.
- (3) No election board judge or clerk shall serve in any election at which a voting machine or vote tally system is used unless he has received the required instruction and is fully qualified to perform the duties in connection with the machine or vote tally system; but this requirement shall not prevent the appointment of an election board clerk to fill a vacancy in an emergency.

*Idaho Code § 34-2413 (Thomson/West 2006).*

Elections in which no voting machines are used (1/3 of Idaho's counties do not use voting machines or vote tally equipment). The Secretary of State conducts workshops with the county clerks and the clerks then train poll workers on their responsibilities. There are no minimum requirements on the curriculum.

*Tim Hurst, Chief Deputy of Secretary of State's office (2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No information available.

**The Effect of Felon Status on Participation**

No statutory prohibition against felons serving, but "qualified" in *Idaho Code § 34-303* means capable of performing the functions of a poll worker and is left to the discretion of the county clerk.

*Tim Hurst, Chief Deputy of Secretary of State's office (2006).*

**The Effect of Mental Incapacitation on Participation**

No statutory prohibition against mentally incapacitated serving, but "qualified" in *Idaho Code* § 34-303 means capable of performing the functions of a poll worker and is left to the discretion of the county clerk. Tim Hurst, Chief Deputy of Secretary of State's office (2006).

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

A county clerk may appoint not more than two students per precinct to serve under the direct supervision of election board members designated by the county clerk. A student may be appointed, notwithstanding lack of eligibility to vote, if the student possesses the following qualifications:

- Is at least 17 years of age at the time of the election for which he or she is serving as a member of an election board; and
- Is a citizen of the United States.

*Idaho Code* § 34-303(1) & (2) (Thomson/West 2006).

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be registered to vote.

10 Ill. Comp. Stat. §5/13-4(a) (7); 10 Ill. Comp. Stat. §5/14-1(b) (7) (Thomson/West 2006).

**Age Requirement**

18 years of age by next election.

10 Ill. Comp. Stat. §5/4-2 (Thomson/West 2006).

**Residency Place and Term Required for Voter Registration**

State and precinct for at least 30 days.

10 Ill. Comp. Stat. §5/4-2 (Thomson/West 2006).

**Residency Requirement for Service (State, County or Precinct)**

Precinct, or for a limited number, county. Judges must reside and be entitled to vote in precinct serving, except that one judge from each party can be from county within which precinct lies.

10 Ill. Comp. Stat. §5/13-4(a) (7); 10 Ill. Comp. Stat. §5/14-1(b) (7) (Thomson/West 2006).

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation required. Election judges represent two major political parties. In May of even-numbered years, the county board of commissioners appoints five judges to each precinct. Three appointees from a certified list provided by the county central committee of the first leading party, and two appointees from a list provided by the second leading party (if only three judges are appointed then the ratio becomes 2:1). Certified list must be submitted 10 days before commissioners' annual meeting and must name at least two precinct residents for each precinct where party will have three judges, and one precinct resident for each precinct where party will have two judges.

10 Ill. Comp. Stat. §5/13-1; 10 Ill. Comp. Stat. §5/14-3.1 (Thomson/West 2006).

If list inadequate, then commissioners can use supplemental list, trying first to find precinct residents and if not possible, appointing county residents. If supplemental list is inadequate, then alternate appointments may be made outside list if person is otherwise qualified.

10 Ill. Comp. Stat. §5/13-1.1; 10 Ill. Comp. Stat. §5/14-3.2 (Thomson/West 2006).

For counties under township organization similar process governed by county board, but county central committee shall notify board, by June 1st of each odd-numbered year immediately preceding board's annual meeting, as to whether or not it will submit certified list of judge recommendations.

10 Ill. Comp. Stat. §5/13-2 (Thomson/West 2006).

<sup>2</sup> 10 Ill. Comp. Stat. 5/13 governs where the boards of election commissioners does not have jurisdiction, and 10 Ill. Comp. Stat. 5/14 governs where the boards of elections commissioners oversee elections.



**Term Requirements**

Two years.

10 Ill. Comp. Stat. §5/13-1; 10 Ill. Comp. Stat. §5/14-3.1 (Thomson/West 2006).

**Compensation and Hour Requirements**

Varies by county or municipality.

10 Ill. Comp. Stat. §5/13-10; 10 Ill. Comp. Stat. §5/14-9.5 (Thomson/West 2006).

Time off from work.

- Give employer at least 20 days' written notice.
- An employer may not penalize an employee for that absence other than a deduction in salary for the time absent.
- Not applicable to an employer with fewer than 25 employees.
- An employer with more than 25 employees shall not be required to permit more than 10 percent of the employees to be absent on the same election day.

10 Ill. Comp. Stat. §5/13-2.5; 10 Ill. Comp. Stat. §5/14-4.5 (Thomson/West 2006).

**Training, Certification and Oath Requirements**

Election judges are commissioned as officers of the Circuit Court.

10 Ill. Comp. Stat. §5/13-3; 10 Ill. Comp. Stat. §5/14-5 (Thomson/West 2006).

Prior to serving, all the judges must have completed at least 4 hours of training, passed an exam, and taken an oath.

10 Ill. Comp. Stat. §5/13-2.2; §5/13-8; 10 Ill. Comp. Stat. §5/14-4.1(6); §5/14-7 (Thomson/West 2006).

Prior to being commissioned at least one judge in each precinct, from both major political parties, must have completed a training course required pursuant to 10 Ill. Comp. Stat. §5/13-2.2; 10 Ill. Comp. Stat. §5/14-4.1.

10 Ill. Comp. Stat. §5/13-3; 10 Ill. Comp. Stat. §5/14-5 (Thomson/West 2006).

**Elected Public Officials Prohibited**

No elected committeemen may serve.

10 Ill. Comp. Stat. §5/13-4(a) (6); 10 Ill. Comp. Stat. §5/14-1(b) (6) (Thomson/West 2006).

**Candidates Prohibited**

No candidates may serve.

10 Ill. Comp. Stat. §5/13-4(a) (6); 10 Ill. Comp. Stat. §5/14-1(b) (6) (Thomson/West 2006).

**The Effect of Felon Status on Participation**

Prohibited if legally convicted, in any State or in any Federal court, of any crime, and serving a sentence of confinement in any penal institution, or if convicted under any election law and serving a sentence of confinement in any penal institution, until release from confinement.

10 Ill. Comp. Stat. §5/3-5; 10 Ill. Comp. Stat. §5/14-1(b) (5) (Thomson/West 2006).

**The Effect of Mental Incapacitation on Participation**

Prohibited if not of good understanding and capable.

10 Ill. Comp. Stat. §5/13-4(a) (5); 10 Ill. Comp. Stat. §5/14-1(b) (5) (Thomson/West 2006).

**English Fluency and Literacy Requirement**

Must be able to speak, read and write the English language and be skilled in four rules of math.

10 Ill. Comp. Stat. §5/13-4(a) (3) - (4); 10 Ill. Comp. Stat. §5/14-1(b) (3) - (4) (Thomson/West 2006).

**Good Reputation Requirement**

Must be of good repute and character.

10 Ill. Comp. Stat. §5/13-4(a) (2); 10 Ill. Comp. Stat. §5/14-1(b) (2) (Thomson/West 2006).

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

Students must:

- Be at least 17 years old and a student in good standing enrolled in a public or private secondary school;
- Be a United States citizen or will be a citizen at the time of the election;
- Have cumulative GPA of 3.0 on a 4.0 system;
- Have written approval from a parent or guardian, and your school principal; and
- Satisfactorily complete the election judge training course.

10 Ill. Comp. Stat. §5/13-4(b); 10 Ill. Comp. Stat. §5/14-1(c) (Thomson/West 2006).

## Indiana

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be registered to vote.

*Ind. Code §3-6-6-1(d); Ind. Code §3-6-6-2(c); Ind. Code §3-6-6-3(c); Ind. Code §3-6-6-5(c) (Thomson/West 2006).*

### Age Requirement

18 years of age at next election. May vote in primaries if will be 18 years of age by date of related election.

*Ind. Code §3-7-13-1(1); Ind. Code §3-7-13-2 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Precinct resident for at least 30 days.

*Ind. Code §3-7-13-1(3) (Thomson/West 2006).*

May vote in primaries if will be resident for 30 days by date of related election.

*Ind. Code §3-7-13-2 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

County.

*Ind. Code §3-6-6-1(d); Ind. Code §3-6-6-2(c); Ind. Code §3-6-6-3(c); Ind. Code §3-6-6-5(c) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation required. County chairmen of the major political parties nominate precinct election officers no later than 21 days before an election. Other than for the inspector position, precinct election officers may be nominated for half day shifts, as long as a concurrent nomination is made for the second half of the day.

*Ind. Code §3-6-6-10 (a) & (b) (Thomson/West 2006).*

If a county chairman fails to make timely nomination, the county election board may fill a vacancy in a precinct election office by majority vote of the county election board beginning noon 14 days before election day.

*Ind. Code §3-6-6-13 (Thomson/West 2006).*

County election board appoints precinct election board consisting of one inspector nominated by party whose candidate for secretary of state received the highest vote and two judges, two poll clerks, two sheriffs and possibly two assistant poll clerks, one of each nominated by the two major political parties.

*Ind. Code §3-6-6-8; Ind. Code §§3-6-6-1, 2, 3, & 4 (Thomson/West 2006).*

### Term Requirements

The appointment of a precinct election officer and the swearing of an oath create a binding contract for the officer's services that expires when the canvass of the precinct is complete.

*Ind. Code §3-6-6-37 (Thomson/West 2006).*

### Compensation and Hour Requirements

Part time possible. Other than for the inspector position, precinct election officers may be nominated for half day shifts, as long as a concurrent nomination is made for the second half of the day.

*Ind. Code §3-6-6-10 (a) & (b) (Thomson/West 2006).*

Compensation fixed by county executive.

*Ind. Code §3-6-6-25 (Thomson/West 2006).*

Inspector may be compensated for additional services.

*Ind. Code §3-6-6-26 (Thomson/West 2006).*

Meals or meal allowance provided on election day.

*Ind. Code §3-6-6-31 (Thomson/West 2006).*

### Training, Certification and Oath Requirements

County board shall conduct training no later than day before election day. Inspectors are required to attend, and county board may require attendance of other precinct officers.

*Ind. Code §3-6-6-40 (Thomson/West 2006).*

Certified Election Worker Program enacted in 2005. It will be administered by the secretary of state and provides four year precinct official certifications to individuals who complete training.

*Ind. Code §3-6-6-5 (Thomson/West 2006).*

Oath required.

*Ind. Code §3-6-6-18; Ind. Code §3-6-6-23 (Thomson/West 2006).*

### Elected Public Officials Prohibited

No Prohibition.

Note: An individual is prohibited from holding more than one "lucrative office" at the same time.

*Ind. Const., Art. 2, § 9. However, the position of precinct election officer is not a "lucrative office" for purposes of this Constitutional provision.*

*Ind. Code §3-6-6-37(c) (Thomson/West 2006).*

### Candidates Prohibited

No candidates or candidate's relatives by birth, marriage, or adoption. Not prohibited if candidate is running unopposed for a political party office.

*Ind. Code §3-6-6-7(3) & (4) (Thomson/West 2006).*

May not be an inspector if a chairman or treasurer of candidate on ballot.

*Ind. Code §3-6-6-7(5) (b) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Disenfranchised as a voter and therefore prohibited if imprisoned, or otherwise subject to lawful detention, following conviction of a crime.

*Ind. Code §3-7-13-4 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

No Constitutional or statutory disqualification found.

**English Fluency and Literacy Requirement**

Prohibited if unable to read, write, and speak the English language.

*Ind. Code §3-6-6-7(1) (Thomson/West 2006).*

**Good Reputation Requirement**

Ineligible to serve as precinct election officer if have property bet or wagered on election results.

*Ind. Code §3-6-6-7(2) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute****College Pollworkers**

If county chair has failed to make nominations 14 days before election day, county election board may appoint a student enrolled at an institution of higher education, who is a registered voter in county, to serve as a nonpartisan precinct election officer.

*Ind. Code §3-6-6-13 (Thomson/West 2006).*

**Assistant poll clerks**

Two assistant poll clerks may be appointed in each precinct, one from each major political party. Don't have to be a voter if a resident of county and at least 16 years of age, but not older than 17 years of age.

*Ind. Code §3-6-6-3 (Thomson/West 2006).*

County election board, by unanimous vote of entire membership, may permit an individual who is a student, at least 16 years of age, but not more than 17 years of age, to serve as a poll worker, or an assistant to any poll worker. However, a student assistant cannot serve as the inspector (the presiding poll worker in the precinct). Student assistants must meet citizenship, grade point average, county residence, and parental/guardian approval requirements to serve.

*Ind. Code §3-6-6-39 (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*Iowa Code § 49.13(1) (Thomson/West 2006).***Age Requirement**

18 years of age.

*Iowa Code § 48A.5 (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

State.

*Iowa Code § 48A.5 (Thomson/West 2006).*

**Note:** College student registration. A student who resides at or near the school the student attends, but who is also able to claim a residence at another location under the provisions of this section, may choose either location as the student's residence for voter registration and voting purposes.

*Iowa Code § 48A.5A (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)**

Preference to precinct, but county allowed. Election board members must be registered voters of the county. Preference shall be given to appointment of residents of a precinct to serve as precinct election officials for that precinct, but the commissioner may appoint other residents of the county where necessary.

*Iowa Code § 49.13 (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation generally required, unless there are insufficient workers available. Election officials must be members of one of the two political parties whose candidates for president of the United States or for governor, as the case may be, received the largest and next largest number of votes in the precinct at the last general election. However, people who are not members of either of these parties may be appointed to serve for any election in which no candidates appear on the ballot under the heading of either of these political parties.

*Iowa Code § 49.13(2) (Thomson/West 2006).*

County chairs of each political party designate names for appointment to the election board not less than 30 days prior to each primary election, and not less than 20 days before the primary the commissioner appoints the election board from those lists. If there are insufficient numbers, unlisted members of the political parties may be appointed. The commissioner may also appoint people, without reference to their party affiliation, who have advised the commissioner they are willing to serve for elections in which no candidates appear on the ballot under the heading of either of these political parties.

*Iowa Code § 49.15 (Thomson/West 2006).*

Not more than a simple majority in any precinct, or of the two combined boards in any precinct for which a double election board is appointed, shall be members of the same political party or organization if one or more registered voters of another party or organization are qualified and willing to serve on the board.

*Iowa Code § 49.12 (Thomson/West 2006).*

#### **Term Requirements**

Approximately two years. Each election official shall remain available for appointment to the election board of the precinct until a new panel is drawn up unless the person's name is sooner deleted from the panel by the commissioner.

*Iowa Code § 49.16 (Thomson/West 2006).*

A new panel is drawn up every two years.

*Iowa Code § 49.15 (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

Compensation is fixed by the county in which they serve, and workers shall receive compensation at a rate established by the board of supervisors, not less than \$3.50 per hour and shall be reimbursed for actual and necessary travel expense at a rate determined by the board of supervisors.

*Iowa Code § 49.20 (Thomson/West 2006).*

Officials shall also be compensated for attending a training course.

*Iowa Code § 49.125 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Not later than the day before each primary and general election, the commissioner shall hold a training course for all election personnel. At least two precinct election officials who will serve on each precinct election board at the forthcoming election shall attend the training course. If the entire board does not attend, those members who do attend shall so far as possible be persons who have not previously attended a similar training course.

*Iowa Code § 49.124 (Thomson/West 2006).*

The state commissioner shall provide a training manual and such additional material as may be necessary to all commissioners for conducting the required training course and to revise the manual from time to time as may be necessary.

*Iowa Code § 49.126 (Thomson/West 2006).*

**Oath required.**

*Iowa Code § 49.75 (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No information available.

### Candidates Prohibited

No candidate to be voted upon in that precinct, or any person related to a candidate within the third degree of consanguinity or affinity, unless there is no opposing candidate seeking the office.

*Iowa Code § 49.16 (1) (Thomson/West 2006).*

### The Effect of Felon Status on Participation

Prohibited if convicted of a felony unless that right is restored by the Governor or President of the United States.

*Iowa Code § 48A.6 (Thomson/West 2006).*

**Note:** State of Iowa Executive Order 42, signed by Governor Thomas J. Vilsack on July 4, 2005, restored the voting rights of all persons convicted of felonies and aggravated misdemeanors once they have completed their prison sentences.

[http://www.governor.state.ia.us/legal/41\\_45/EO\\_42.pdf](http://www.governor.state.ia.us/legal/41_45/EO_42.pdf); [http://www.governor.state.ia.us/requests/citizenship\\_faq.html](http://www.governor.state.ia.us/requests/citizenship_faq.html) (2006).

Legislation pending: "A person convicted of a felony criminal offense who has been discharged from probation under section 907.9, discharged from parole or work release under section 906.15, or who is released from confinement under section 902.6 because the person has completed the person's term of confinement shall have the right to register to vote and to vote."

*2005 IA S.F. 63 (NS).*

### The Effect of Mental Incapacitation on Participation

Must not be incompetent to vote.

*Iowa Code § 48A.6 (Thomson/West 2006).*

### English Fluency and Literacy Requirement

No information available.

### Good Reputation Requirement

No information available.

### Alternative Positions with Different Requirements

No information available.

### Student Election Assistant Statute

Legislation pending to amend *Iowa Code §§ 49.13 & 49.15* to allow high school juniors and seniors who are not yet qualified to be registered voters to be appointed as precinct election board members, but not board chairpersons, if they meet certain statutory requirements.

*2005 IA H.F. 95 (NS).*



## Kansas

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must have qualifications of an elector.

*Kan. Stat. Ann. § 25-2804 (Thomson/West 2006).*

"Qualifications of an elector" appear to include being a registered voter.

*Clayton v. Hill City, 111 Kan. 595, 207 P. 770 (1922).*

### Age Requirement

18 years of age.

*Kan. Const., art. 5, § 1 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Voting area in which he or she seeks to vote.

*Kan. Const., art. 5, § 1 (Thomson/West 2006).*

"Area" means territory served by one voting place and may include part or all of one or more precincts or voting districts.

*Kan. Stat. Ann. § 25-2506 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Voting area or county.

*Kan. Stat. Ann. § 25-2803(a); Kan. Stat. Ann. § 2804(a) (Thomson/West 2006).*

County election officer may establish a pool of trained judges and clerks from the political parties' lists.

Judges and clerks in such pool may serve at voting places other than their own if:

- (1) The party chairpersons have failed to make appropriate recommendations;
- (2) It is impossible to obtain judges and clerks for a voting place in any other way; or
- (3) Voting machines are used, in which case the third judge, who shall be trained in the use of voting machines, need not necessarily live in the area of the voting place.

Any judge or clerk serving in a voting place not located in the area in which such judge or clerk shall be allowed to vote an advance voting ballot, or shall be excused from duties as such judge or clerk to vote at the voting place in the area of their residency.

*Kan. Stat. Ann. § 25-2804(c) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation required. The county chairman of each of the central committees of the political parties that polled the largest and second largest number of votes in the state at the last state election for the office of governor shall recommend, excluding the supervising judge, one-half of the persons required for judges of each election board and one-half of the persons required for clerks of each election board. In the event

that the election board is to have three members, each such county chairman shall recommend one person for each board.

*Kan. Stat. Ann. § 25-2802 (Thomson/West 2006).*

Such recommendations shall be made in writing and shall be delivered to the county election officer, if practicable, at least 30 days before a primary or general election and at least 15 days before a special election. The county election officer shall appoint the persons recommended if such persons can qualify and if such recommendations are timely. From among the judges appointed to each election board, the supervising judge shall be designated by the county election officer upon his independent selection.

*Kan. Stat. Ann. § 25-2803(a), (b), (c) & (d) (Thomson/West 2006).*

Where a city is divided by a county line, the parties shall specify at least one person from that portion of the area located within each such county to serve upon the election board of the voting place serving that area, if such persons are available to be recommended. The county election officer of the county in which the smaller portion of any such city is located shall designate those persons to be so appointed from the portion of the city in his county. Such designation shall be transmitted to the county election officer conducting elections and shall be appointed by him.

*Kan. Stat. Ann. § 25-2803(e) (Thomson/West 2006).*

#### **Term Requirements**

No information available.

#### **Compensation and Hour Requirements**

Varies by county, but minimum compensation set by state.

*Kan. Stat. Ann. § 25-2811 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

County must provide training.

*Kan. Stat. Ann. § 25-2806 (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No information available.

#### **Candidates Prohibited**

No candidates except candidates for precinct committee people.

*Kan. Stat. Ann. § 25-2804(b) (Thomson/West 2006).*

#### **The Effect of Felon Status on Participation**

Prohibited if convicted of a felony under the laws of any state or of the United States, unless pardoned or restored to civil rights.

*Kan. Const., Art. 5, § 2 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

No statutory prohibition. The legislature may, by law, exclude persons from voting because of mental illness or commitment to a jail or penal institution.

*Kan. Const., Art. 5, § 2 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

The county election officer may appoint persons who are at least 16 years of age to serve as election judges or clerks if such persons meet all other requirements for qualification of an elector. No more than one person under the age of 18 may be appointed to each election board.

*Kan. Stat. Ann. § 25-2804(b) (Thomson/West 2006).*

## Kentucky

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### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a qualified voter in the precinct.

*Ky. Rev. Stat. Ann. § 117.045(9) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*Ky. Const. § 145 (Thomson/West 2006).*

One election official per precinct may be 17 years of age, who will become 18 years of age on or before the day of the regular election.

*Ky. Rev. Stat. Ann. § 117.045(9) (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

State. No durational residency requirement other than being registered before registration closes.

*Ky. Rev. Stat. Ann. § 116.025 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct then county. An election officer shall be a qualified voter of the precinct; except that, where no qualified voter of the required political party is available within the precinct, the election officer shall be a qualified voter of the county.

*Ky. Rev. Stat. Ann. § 117.045(9) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation generally required, unless emergency appointment is necessary. The county executive committees of the two political parties having representation on the State board of elections may, on or before March 15 each year, designate a list of at least four names for each precinct; except in any precinct where there are not four qualified persons a lesser number may be designated. No later than March 20th each year the county board of elections shall select one judge at each voting place from each political party's list, and select the sheriff from one political party's list and the clerk from the other. If lists are not submitted, the two members of the county board of elections who are appointed by the State board of elections may submit lists. If the county board of elections is unable to find two qualified officers for each precinct who are affiliated with the two political parties, they shall submit a list of emergency election officer appointments to the State board of elections. The list of emergency appointments may include qualified voters not affiliated with the two parties represented on the state board.

*Ky. Rev. Stat. Ann. § 117.045 (Thomson/West 2006).*

### Term Requirements

One year except for minors 17 years of age who will become 18 years of age on or before the day of the regular election who may only serve as election officers for the primary and regular elections.

*Ky. Rev. Stat. Ann. § 117.045(1) (Thomson/West 2006).*

**Compensation and Hour Requirements**

Minimum compensation of \$60 per election day served, with the right to additional compensation to be decided by the county board of elections.

*Ky. Rev. Stat. Ann. § 117.045(11) (Thomson/West 2006).*

Compensation in the minimum amount of \$10 for reimbursement of actual expenses shall be paid by the county to the election officers for attending the training session.

*Ky. Rev. Stat. Ann. § 117.187 (4) (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

The county board of elections shall provide special training before each primary and regular election regarding duties and the penalties for failure to perform. Election officers, including alternates, shall attend the training session, unless excused by the county board of elections for reason of illness or other emergency. Any person who fails to attend a training session without being excused shall be prohibited from serving as an election officer for a period of five years.

*Ky. Rev. Stat. Ann. § 117.187(2) (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No candidates or the spouse, parent, brother, sister, or child of a candidate who is to be voted for at the election.

*Ky. Rev. Stat. Ann. § 117.045(9) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony, unless restored to civil rights by executive pardon.

*Ky. Const. § 145 (Thomson/West 2006).*

Prohibited if ever convicted of an election law offense or a felony, unless restored to civil rights by the Governor.

*Ky. Rev. Stat. Ann. § 117.045(2) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if idiot and insane.

*Ky. Const. § 145 (Thomson/West 2006).*

The rights of which a ward is legally deprived upon a determination of disability in managing his personal affairs and financial resources include, but are not limited to, the right to vote.

*Ky. Rev. Stat. § 387.590 (10) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

Must sign a statement that he is willing to serve, has not failed to serve without excuse in the past, and has not been convicted of an election law offense or any felony, unless the person's civil rights have been restored by the Governor.

*Ky. Rev. Stat. Ann. § 117.045(2) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

A 17 year old who will become 18 years of age on or before the day of the regular election may serve as an election officer for the primary and regular elections in which he or she is qualified to vote; however, no precinct shall have more than one person serving as an election officer who is a minor 17 years of age.

*Ky. Rev. Stat. Ann. § 117.045(9) (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a qualified voter.

*La. Rev. Stat. Ann. § 18:424(B) (1); La. Rev. Stat. Ann. § 18:425(B) (1) (Thomson/West 2006).***Age Requirement**

18 years of age or will attain that age on or before the next election.

*La. Rev. Stat. Ann. § 18:101 (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

Bona fide resident of state, parish, municipality, if any, and precinct in which he offers to register as a voter.

*La. Rev. Stat. Ann. § 18:101(B) (Thomson/West 2006).*

Note: College student provision.

Any bona fide full-time student attending an institution of higher learning in this state may choose as his residence and may register to vote either at the place where he resides while attending the institution or at the place where he resides when not attending such institution, but he shall not have more than one residence at any one time for purposes of registering to vote. Such a student need not have intent to reside indefinitely at the place where he offers to register.

*La. Rev. Stat. Ann. § 18:101 (C) (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)**

Any precinct in ward, then parish. Preference is given to residents of precinct, then if insufficient numbers, to residents of ward, and finally to residents of parish.

*La. Rev. Stat. Ann. § 18:425(B)(1); La. Rev. Stat. Ann. § 18:433(B)(3-5); La. Rev. Stat. Ann. § 18:434(B) (9); La. Rev. Stat. Ann. § 18:434(D) (1) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation required.

<sup>3</sup> Elections held within one year following the date of the issuance of any gubernatorial proclamation declaring a state of emergency. If a parish board of election supervisors determines that there is a parishwide shortage of commissioners because a significant number of commissioners have been temporarily displaced due to such emergency, the board may submit a written request to the secretary of state, on or before the 23rd day prior to an election, for additional commissioners from other parishes. If the secretary of state approves the request, the board of such affected parish shall request the parish boards of election supervisors to submit lists of available commissioners by the 15th day prior to the election. The board of the affected parish shall select commissioners to serve in the affected parish from such lists based on availability, proximity and, to the extent possible, the requirements for representation based on recognized political party affiliation as provided for in R.S. 18:434(B)(7). The clerk of court of the affected parish shall ensure that the selected commissioners have received adequate training on the voting machines that are used in the affected parish and on any procedures necessary for the conduct of the election. The selected commissioners, upon approval by the secretary of state, shall be entitled to appropriate reimbursement for travel expenses.

*La. Rev. Stat. Ann. § 425 (A) (4) (Thomson/West 2006).*

**Commissioners and Alternate Commissioners:****Candidate Election:**

Qualified voters interested in becoming commissioners must take a course, pass an exam and reveal their party affiliation before receiving certificates of instruction. The parish board compiles a list of certified candidates who are registered voters of the ward. At 10 a.m. on the 29th day before a primary (or the 20th day before for primaries scheduled on the second Tuesday in March of a presidential election year), the parish board of supervisors will draw balls with corresponding numbers from the compiled list until the number of commissioners needed has been drawn. The person conducting the drawing will then determine if each recognized political party having one or more local or municipal candidates on the ballot to be voted on in the precinct is represented by at least one commissioner. If none, one ball shall be set aside for each recognized political party thus still to be represented, beginning with the last ball drawn for a person affiliated with a recognized political party that has more than one commissioner at the precinct. The drawing shall continue until one of the persons affiliated with each of such political parties is selected, unless there are no remaining certified commissioners in the parish to represent such political parties. The drawing continues for the selection of alternate commissioners.

*La. Rev. Stat. Ann. § 18:425(B) (3); La. Rev. Stat. Ann. § 18:431; La. Rev. Stat. Ann. § 18:434 (Thomson/West 2006).*

**Proposition Election:**

On or before the 21st day prior to such election, the parish board of election supervisors shall appoint the number of commissioners for each precinct as provided in R.S. 18:425(A)(1)(b) and not less than the same number of alternate commissioners for each precinct.

*La. Rev. Stat. Ann. § 18:1286 and La. Rev. Stat. Ann. § 18:1300(A) (2) (Thomson/West 2006).*

**Commissioners-in-Charge:**

Commissioners who have served in at least two elections during the last four years must successfully complete a course (offered by the clerk of court some time between August 1st through November 30th every year) and receive a certificate. At 10 a.m. on the first Friday in December in each year, the parish board meets and selects one commissioner-in-charge for each precinct by the random drawing of balls with numbers corresponding to the qualified candidates. Those not chosen are eligible to serve as commissioners.

*La. Rev. Stat. Ann. § 18:424; La. Rev. Stat. Ann. § 18:433 (Thomson/West 2006).*

**Consolidated Precincts:**

The parish board of election supervisors can elect to consolidate precincts thereby reducing the number of commissioners-in-charge or commissioners.

*La. Rev. Stat. Ann. § 425.1 (Thomson/West 2006).*

**Term Requirements**

One year for commissioners-in-charge, commencing on January 1st.

*La. Rev. Stat. Ann. § 18:433(D) (Thomson/West 2006).*

Commissioners shall serve for the primary or general election they were drawn for.

*La. Rev. Stat. Ann. § 18:434(C) (Thomson/West 2006).*

Commissioners shall serve for the proposition election they were appointed for.

*La. Rev. Stat. Ann. § 18:1286 (Thomson/West 2006).*



### Compensation and Hour Requirements

A commissioner-in-charge shall receive \$150; A commissioner who has received a certificate of instruction, as provided in R.S. 18:431(A), shall receive \$50; A commissioner who has received a certificate of instruction, as provided in R.S. 18:431(B), shall receive \$100; An uncertified commissioner shall receive \$35.

*La. Rev. Stat. Ann. § 18:426.1(1) – (4) (Thomson/West 2006).*

The time for voting is 6:00 a.m. on election day and shall close when the last person in line at 8:00 p.m. has voted. Commissioners-in-charge and commissioners must arrive 30 minutes before the polls open and remain until the election process is completed on election night.

*La. Rev. Stat. Ann. § 18:541; La. Rev. Stat. Ann. § 18:542 (Thomson/West 2006).*

### Training, Certification and Oath Requirements

Must attend a course of instruction and receive a certificate of instruction from such course in order to become a commissioner or a commissioner-in-charge.

*La. Rev. Stat. Ann. § 18:424(B) (4); La. Rev. Stat. Ann. § 18:425(B) (3); La. Rev. Stat. Ann. § 18:431(A); La. Rev. Stat. Ann. § 18:433(A) (Thomson/West 2006).*

A second course of instruction is conducted once the commissioners, alternate commissioners, and commissioners-in-charge have been selected. Those who earn a certificate in this course are eligible for increased compensation, but the second course is not required.

*La. Rev. Stat. Ann. § 18:431(B); La. Rev. Stat. Ann. § 18:433 (Thomson/West 2006).*

Oath required.

*La. Rev. Stat. Ann. § 18:424(D); La. Rev. Stat. Ann. § 18:425(D) (Thomson/West 2006).*

### Elected Public Officials Prohibited

No information available.

### Candidates Prohibited

A commissioner shall not be a candidate in an election to public office or a member of the immediate family of a candidate for election to public office in the precinct in which he serves.

*La. Rev. Stat. Ann. § 18:424(B)(2); La. Rev. Stat. Ann. 18:425(B)(1); La. Rev. Stat. Ann. § 18:425(2)(a) (Thomson/West 2006).*

### The Effect of Felon Status on Participation

No person who has been convicted of an election offense shall serve as a commissioner.

*La. Rev. Stat. Ann. § 18:424(B) (3); La. Rev. Stat. Ann. § 18:425(B) (2) (Thomson/West 2006).*

Prohibited if under an order of imprisonment for conviction of a felony.

*La. Rev. Stat. Ann. § 18:102 (Thomson/West 2006).*

"Under an order of imprisonment" means a sentence of confinement, whether or not suspended, whether or not the subject of the order has been placed on probation, with or without supervision, and whether or not the subject of the order has been paroled.

*La. Rev. Stat. Ann. § 18:2(B) (Thomson/West 2006).*

#### **The Effect of Mental Incapacitation on Participation**

Must not be declared mentally incompetent.

*La. Rev. Stat. Ann. § 18:102 (Thomson/West 2006).*

Must not be entitled to assistance in voting.

*La. Rev. Stat. Ann. § 18:424(B) (1); La. Rev. Stat. Ann. § 18:425(B) (1) (Thomson/West 2006).*

#### **English Fluency and Literacy Requirement**

No information available.

#### **Good Reputation Requirement**

No information available.

#### **Alternative Positions with Different Requirements**

No information available.

#### **Student Election Assistant Statute**

- At least 17 years of age, but under 18;
- Not a qualified voter, but otherwise qualified;
- May serve in any precinct of the ward where he may register to vote pursuant to R.S. 18:101(A); and
- Is enrolled in the twelfth grade of any Louisiana public high school or state-approved nonpublic high school or is participating at the twelfth grade level in a home study program approved by the State Board of Elementary and Secondary Education.

*La. Rev. Stat. Ann. § 18:425(B) (4) (Thomson/West 2006).*

## Maine

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

21-A Me. Rev. Stat. §501(3); 21-A Me. Rev. Stat. §503 (Thomson/West 2006).

### Age Requirement

18 years of age.

21-A Me. Rev. Stat. §111(2) (Thomson/West 2006).

### Residency Place and Term Required for Voter Registration

Municipality.

21-A Me. Rev. Stat. §111(3) (Thomson/West 2006).

The residence of a person is that place where the person has established a fixed a principal home to which the person, whenever temporarily absent, intends to return.

21-A Me. Rev. Stat. §112(1) (Thomson/West 2006).

### Residency Requirement for Service (State, County or Precinct)

Municipality. Election officials, including wardens, ward clerks, deputy wardens and election clerks must be residents of the municipality, except when a nonresident municipal clerk (a permanent employee) is acting in any of the aforementioned roles.

21-A Me. Rev. Stat. §501(3); 21-A Me. Rev. Stat. §503 (Thomson/West 2006).

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation requirements depends on role. Election officials, including wardens, ward clerks and deputy wardens are appointed by the municipality, and not necessarily associated with a political party.

21-A Me. Rev. Stat. § 501(1) & (2) (Thomson/West 2006).

Election clerks are associated with political parties, and all nominations for election clerks must be submitted to municipal officers no later than April 1st of each general election year.

21-A Me. Rev. Stat. § 503 (Thomson/West 2006).

Municipal officers shall appoint at least one election clerk from each of the major parties by May 1st. Election clerks from one major party may not exceed the number of election clerks from another major party by more than one.

21-A Me. Rev. Stat. §503(1) & (2) (A) (Thomson/West 2006).

The municipal officers shall appoint at least one election clerk nominated by the municipal committee of a qualified minor party represented on the last general election ballot for each voting place at the committee's request.

21-A Me. Rev. Stat. § 503(2) (B) (Thomson/West 2006).

Student election clerks may also be considered for appointment. If the municipal officers are unable to appoint a sufficient number of election clerks in the three ways listed above, they may appoint any other registered voter, as long as the balance between major political parties is maintained.

*21-A Me. Rev. Stat. § 503 (Thomson/West 2006).*

#### **Term Requirements**

An election clerk holds office for two years from the date of appointment and until a successor is appointed and qualified, except that an election clerk who is appointed to represent a qualified minor party represented on the last general election ballot holds office only for two years from the date of appointment.

*21-A Me. Rev. Stat. § 503(7) (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

Presence required during the time the polls are open.

*21-A Me. Rev. Stat. § 503(8) (Thomson/West 2006).*

Election officials are entitled to reasonable compensation as determined by the municipal officers.

*21-A Me. Rev. Stat. § 503(1) (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Secretary of State shall encourage municipalities to provide training biennially to all election officials.

*21-A Me. Rev. Stat. §505(7) (Thomson/West 2006).*

Oath required.

*21-A Me. Rev. Stat. §503(6) (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No employee of a party may serve as an election official.

*21-A Me. Rev. Stat. §504(1).*

#### **Candidates Prohibited**

No candidate, member of his immediate family, or an employee of the candidate may serve as an election official in the electoral division from which the candidate seeks election.

*21-A Me. Rev. Stat. § 504(3) (Thomson/West 2006).*

This does not apply to a candidate for warden or ward clerk or the immediate family of the candidate for warden or ward clerk.

*21-A Me. Rev. Stat. § 504(3) (A) (Thomson/West 2006).*

This does not apply to municipalities with a population of less than 500 persons.

*21-A Me. Rev. Stat. § 504 (3) (B) (Thomson/West 2006).*

No person having a direct pecuniary interest in the result of a referendum question may serve as an election official.

*21-A Me. Rev. Stat. § 504(2) (Thomson/West 2006).*

#### **The Effect of Felon Status on Participation**

No Constitutional or statutory prohibition found.

#### **The Effect of Mental Incapacitation on Participation**

No Constitutional or statutory prohibition found.

#### **English Fluency and Literacy Requirement**

No information available.

#### **Good Reputation Requirement**

No information available.

#### **Alternative Positions with Different Requirements**

No information available.

#### **Student Election Assistant Statute**

The municipal officers may also consider persons who are 17 years of age to serve as student election clerks for a specific election. A student election clerk may perform all the functions of an election clerk.

*21-A Me. Rev. Stat. §503(2) (C) (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

**Must be registered voter.***Md. Elec. Law §10-202(a) (1) (Thomson/West 2006).***Age Requirement**

18 years of age on or before the day of the next general election.

*Md. Elec. Law §3-102(a) (2) (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

State resident as of the day the individual seeks to register.

*Md. Elec. Law §3-102(a) (3) (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)**

County then State.

*Md. Elec. Law §10-202(a) (1) (Thomson/West 2006).*

If a qualified county resident cannot be found, local board can appoint registered voter from state.

*Md. Elec. Law §10-202(a) (2) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation preferred. Each polling place shall have an equal number of election judges from the majority party and the principal minority party. If the total number of election judges for a precinct is six or more, a local board may provide one or more election judges who are not registered with either the majority party or principal minority political party, and a local board may provide one or more election judges who are minors. The number of election judges provided under this paragraph may not exceed the lesser of the number of election judges who belong to the majority party or the number of election judges who belong to the principal minority party.

*Md. Elec. Law §10-201(b) (Thomson/West 2006).*

The election director, with the approval of the local board, shall appoint the election judges for each polling place for a term that begins on the Tuesday that is 13 weeks before each statewide primary election.

*Md. Elec. Law §10-203(a) &(c) (Thomson/West 2006).*

**Note:** Local boards will generally fill election judge positions with persons belonging to the majority parties first and then look to minority parties and unaffiliated persons.

<sup>4</sup> A local board may adopt guidelines consistent with the provisions of the election laws, for the determination of the qualifications of persons considered for appointment and for the process of appointment as election judges.

*Md. Elec. Law §10-202(e) (Thomson/West 2006).*

**Term Requirements**

Eighteen months. A term runs from 13 weeks before a statewide primary election to 13 weeks before the next statewide primary election (Maryland has a March presidential primary election and a September gubernatorial primary election).

*Md. Elec. Law §10-203(a) & (c) (Thomson/West 2006).*

**Compensation and Hour Requirements**

Part-day is possible, for roles other than chief judge. Compensated on pro rata basis.

*Md. Elec. Law §10-202(e) (Thomson/West 2006).*

Hours approximately 6 a.m. to completion of duties when the polls close at 8 p.m. (typically counties require election judges to work to 9 p.m. or 10 p.m.). Stipend varies by county, but is between \$100 and \$225 for chief election judge and between \$80 and \$175 for all other election judges. Compensation for training must be at least \$20 for each required class.

*Md. Elec. Law §10-205(a) & (b). Code of Maryland Regulations 33.02.03.04(B) (3) (Thomson/West 2006).*

A State employee who serves as an election judge during hours that the employee is otherwise scheduled to work for the State: (1) may use one hour of administrative leave for each hour of service as an election judge, up to a total of eight hours for each day of service; and (2) shall receive the election judge compensation as specified in § 10-205.

*Md. Elec. Law §10-202(d) (1) & (2) (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

The State Administrator shall develop and issue a judge's manual for each local board.

*Code of Maryland Regulations §33.02.03.01 (Thomson/West 2006).*

State board develops training program and oversees implementation by local boards.

*Md. Elec. Law §10-206(a) (Thomson/West 2006).*

Each election judge shall participate in a training program provided by local boards and evaluated by state board.

*Md. Elec. Law §10-206(f) (1) (Thomson/West 2006).*

Oath required.

*Md Const Art. I, § 9; Md. Elec. Law §10-204(a) (1) (Thomson/West 2006).*

**Elected Public Officials Prohibited**

May not hold any elective public or political party office.

*Md. Elec. Law §2-301(b) (1) (i) (Thomson/West 2006).*

**Candidates Prohibited**

No candidates, campaign managers for a candidate, or treasurers for a candidate or political committee.

*Md. Elec. Law §2-301(a) & (b) (Thomson/West 2006).*

### The Effect of Felon Status on Participation

Prohibited after first conviction for theft or other infamous crime, until completed court-ordered sentence imposed for conviction, including probation, parole, community service, restitutions, and fines. Prohibited after subsequent convictions until completed court-ordered sentence imposed for conviction, including probation, parole, community service, restitutions, and fines, and at least three years have elapsed since the completion of all post-conviction requirements.

*Md. Elec. Law §3-102(b) (Thomson/West 2006).*

Prohibited forever if a second or subsequent conviction is a "crime of violence."

*Md. Elec. Law §3-102(c); MD Crim. Law §14-101 (Thomson/West 2006).*

Prohibited forever if an individual has been convicted of buying or selling vote.

*Md. Elec. Law §3-102(b) (3) (Thomson/West 2006).*

### The Effect of Mental Incapacitation on Participation

Prohibited if under guardianship for mental disability.

*Md. Elec. Law §3-102(b) (2) (Thomson/West 2006).*

### English Fluency and Literacy Requirement

Must speak, read, and write the English language.

*Md. Elec. Law §10-202(b) (Thomson/West 2006).*

### Good Reputation Requirement

No information available.

### Alternative Positions with Different Requirements

No information available.

### Student Election Assistant Statute

A minor who is at least 17 years old and who is too young to be a registered voter may be appointed and serve as an election judge if the minor demonstrates, to the satisfaction of the local board, that the minor meets all of the other qualifications for registration in the county.

*Md. Elec. Law §10-202(a) (2) (i) (Thomson/West 2006).*

### Other Requirements or Roles Available Not Noted Above (These may be de facto rules or policies.)

One jurisdiction in Maryland (Montgomery County) is required under the Voting Rights Act (VRA) to provide election materials in the Spanish language. The county recruits Spanish-speaking election judges to satisfy the requirements of the VRA.

*Linda Lamone, Administrator of Elections; 42 USC § 1973 (Thomson/West 2006).*



## Massachusetts

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be an enrolled voter.

*Mass. Gen. Laws ch. 54, §11; Mass. Gen. Laws ch. 54, §12 (Thomson/West 2006).*

### Age Requirement

18 years of age on the day of election.

*Mass. Gen. Laws ch. 51, §1 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

City or town.

*Mass. Gen. Laws ch. 51, §1 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Commonwealth.

*Mass. Gen. Laws ch. 54, §11; Mass. Gen. Laws ch. 54, §12 (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation preferred, but allows for a limited number of non-affiliated. Election officers shall be appointed as equally to represent the two leading political parties, except that, without disturbing the equal representation of such parties, not more than one-third of the election officers not representing either of them may be appointed. The warden shall be of a different political party from the clerk, and not more than one half of the inspectors shall be of the same political party. In each case the principal officer and his deputy shall be of the same political party.

*Mass. Gen. Laws ch. 54, §13 (Thomson/West 2006).*

Parties must submit a list of recommended enrolled voters by June 1st of each year.

*Mass. Gen. Laws ch. 54, §11B (Thomson/West 2006).*

If no list filed by June 15th, city clerk or election commission make recommendations and party representation requirements do not apply.

*Mass. Gen. Laws ch. 54, §11B; §13 (Thomson/West 2006).*

### Term Requirements

Every election officer shall hold office for one year, beginning with September first succeeding his appointment, and until his successor is qualified, or until his removal.

*Mass. Gen. Laws ch. 54, §13 (Thomson/West 2006).*

### Compensation and Hour Requirements

Election officers shall receive such compensation as the city council or the selectmen respectively may determine.

*Mass. Gen. Laws ch. 54, §22 (Thomson/West 2006).*

**Note:** Pending legislation. H.B. 129 protects the rights of employees who have been appointed to serve as election officers. Any interference in their duties may be met with criminal and civil penalties.

*2005 MA H.B. 129 (NS) (Thomson/West 2006).*

### Training, Certification and Oath Requirements

Oath required.

*Mass. Gen. Laws ch. 54, §20 (Thomson/West 2006).*

**Note:** Pending Legislation. H.B. 128 states that no later than June 30, 2006, the state secretary shall adopt uniform standards for the training of election officers.

### Elected Public Officials Prohibited

Neither a town moderator nor any member of a board of selectmen shall be eligible or act as an election officer in a State or presidential primary, or State election.

*Mass. Gen. Laws ch. 54, §15 (Thomson/West 2006).*

### Candidates Prohibited

No person shall, at a State, city or town election, be eligible or act as an election officer in a voting precinct where he is a candidate for election.

*Mass. Gen. Laws ch. 54, §15 (Thomson/West 2006).*

### The Effect of Felon Status on Participation

Prohibited if incarcerated in a correctional facility due to a felony conviction.

*Mass. Gen. Laws ch. 51, §1; Mass. Const. Amend. Art. III (Thomson/West 2006).*

May be temporarily or permanently disqualified by law because of corrupt practices in respect to elections.

*Mass. Gen. Laws ch. 51, §1; Mass. Const. Amend. Art. III (Thomson/West 2006).*

### The Effect of Mental Incapacitation on Participation

Prohibited if adjudicated incompetent or under guardianship.

*Mass. Gen. Laws ch. 51, §1; Mass. Const. Amend. Art. III (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to read the constitution in the English language, and write name. This provision neither applies to any person prevented by a physical disability from complying, nor to any person who at the time of the amendment had the right to vote, nor to anyone who was 60 years of age or over when the amendment took effect.

*Mass. Const. Amend. Art. XX (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

Two 16 or 17 years old election officers may be appointed who meet the following qualifications:

- Are residents of commonwealth and are United States citizens;
- Have the ability to speak, read, and write the English language;
- Have permission from parents and principal; and
- Are trained.

May be considered community service activity.

*Mass. Gen. Laws ch. 54, §11B (Thomson/West 2006).*

## Michigan

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**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

**Must be a registered voter.***Mich. Comp. Laws § 168.677(1); Mich. Comp. Laws § 168.346 (Thomson/West 2006).***Age Requirement****18 years of age.***Mich. Comp. Laws § 168.492 (Thomson/West 2006).***Residency Place and Term Required for Voter Registration****Township, city, or village for 30 days before election.***Mich. Comp. Laws § 168.492 (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)**

County. To accommodate jurisdictions that cross county boundaries, an individual registered to vote in a local unit of government that falls in more than one county may be appointed to serve on any precinct board established within the local unit of government.

*Mich. Comp. Laws § 168.677(1) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation required. Not later than May 15th of each year, the county chair of the major political parties may submit to the city, township, or village clerks in that county a list of individuals who are interested in serving as an election inspector in that county, designating the city, township, or village in which each individual on the list wishes to serve.

*Mich. Comp. Laws § 168.673a (Thomson/West 2006).*

A major political party is each of the two parties whose candidate for the Secretary of State received the highest and second highest number of votes at the immediately preceding general election in which a Secretary of State was elected.

*Mich. Comp. Laws § 168.16 (Thomson/West 2006).*

Individuals wishing to serve must submit personal applications to relevant city, township or village clerk.

*Mich. Comp. Laws § 168.677 (1) & (2) (Thomson/West 2006).*

Between 21 and 40 days before the election, the board of election commissioners appoints at least three qualified individuals to each precinct, designating one appointed election inspector as chairperson. At least one election inspector is appointed from each major political party and as nearly as possible an equal number of election inspectors is appointed in each election precinct from each major political party. The board of election commissioners may appoint election inspectors in an election precinct from minor political parties.

*Mich. Comp. Laws § 168.674(2) (Thomson/West 2006).*

A board of election commissioners shall not appoint a person as an election inspector if that person declares a political party preference for one political party but is a known active advocate of another political party.

*Mich. Comp. Laws § 168.674(2) (Thomson/West 2006).*

#### **Term Requirements**

An appointment to serve as a poll worker expires after the conduct of the election at which the individual served. New poll worker appointments are made for each successive election.

*Christopher M. Thomas, Director of Elections (2006).*

#### **Compensation and Hour Requirements**

Any person employed as an inspector of election, or in any other official capacity at any election, shall receive such reasonable compensation as may be allowed by the relevant governing county, township, city or village.

*Mich. Comp. Laws § 168.662 (Thomson/West 2006).*

Poll workers must be paid at least the prevailing minimum wage.

*Christopher M. Thomas, Director of Elections (2006).*

#### **Training, Certification and Oath Requirements**

Individuals wishing to serve must submit personal applications to relevant city, township or village clerk.

*Mich. Comp. Laws § 168.677 (1) & (2) (Thomson/West 2006).*

Inspectors must attend a county, city or township training school unless excused for good cause. No inspector of election shall serve in any election unless he shall have either attended an election school, or passed a secretary of state approved examination, within the last preceding two years.

*Mich. Comp. Laws § 168.683; 168.677(3) (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

An elected public official may serve as a poll worker as long as he or she does not appear on the ballot as a candidate for public office.

*Christopher M. Thomas, Director of Elections (2006).*

#### **Candidates Prohibited**

No candidates or any member of his or her immediate family.

*Mich. Comp. Laws § 168.677(3) (Thomson/West 2006).*

Candidate for or delegates to a political party convention may be inspectors in precincts other than the precinct in which he or she resides.

*Mich. Comp. Laws § 168.677(3) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony or election crime.

*Mich. Comp. Laws § 168.677(3) (Thomson/West 2006).*

A person shall not be knowingly appointed or permitted to act as a precinct election inspector if the person has been convicted of a felony or election crime.

*Mich. Comp. Laws § 168.677(3) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

No statutory prohibition. The legislature may by law exclude persons from voting because of mental incompetence.

*Mich. Const. Art. 2, § 2 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

A precinct inspector shall have sufficient education and clerical ability to perform the duties of the office.

*Mich. Comp. Laws § 168.677(1) (Thomson/West 2006).*

**Good Reputation Requirement**

A precinct election inspector shall have a good reputation.

*Mich. Comp. Laws § 168.677(1) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

- 16 or 17 years of age;
- A resident of the county in which he or she serves or, in the case of a local unit of government that lies in more than one county, is a resident of the local unit of government in which the election is being held;
- Before a person under this subsection may be appointed, the first three members of the board required to be appointed must meet all requirements for appointment;
- A person appointed under this subsection must meet all requirements for appointment other than being a qualified and registered elector of the county in which he or she serves; and
- A person appointed under this subsection is not eligible to be designated as chairperson of the board.

*Mich. Comp. Laws § 168.677(4) (Thomson/West 2006).*

## Minnesota

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be eligible to vote.

*Minn. Stat. § 204B.19 (1) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*Minn. Stat. § 201.014(1) (a) (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

State resident for 20 days before election.

*Minn. Stat. § 201.014(1) (c) (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

State. To be an election judge one must only be eligible to vote in the State of Minnesota.

*Minn. Stat. § 204B.19 (1) (Thomson/West 2006).*

However, while election judges typically serve in the precinct where they live, if shortages occur, they can serve anywhere in the State.

Minnesota Secretary of State [http://www.sos.state.mn.us/docs/mn\\_needs\\_you.pdf](http://www.sos.state.mn.us/docs/mn_needs_you.pdf) (2006).

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation required. Local political party chairs of each major political party must provide lists of potential judges to their county auditor by July 1st of the election year. Appointments are made locally by the township board or city council who must give preference to the parties' lists of names. All appointments must be made at least 25 days before the election.

*Minn. Stat. § 204B.21 (Thomson/West 2006).*

No more than half of the election judges in a precinct may be members of the same major political party unless the election board consists of an odd number of election judges, in which case the number of election judges who are members of the same major political party may be one more than half the number of election judges in that precinct.

*Minn. Stat. § 204B.19 (5) (Thomson/West 2006).*

### Term Requirements

No information available.

### Compensation and Hour Requirements

Part-time possible except for head judge. An election judge may serve for all or part of election day, at the discretion of the appointing authority, as long as the minimum number of judges required is always

present. The head election judge must serve for all of election day and be present in the polling place unless another election judge has been designated by the head election judge.

*Minn. Stat. § 204B.20; 204B.22 (1) (b) (Thomson/West 2006).*

Compensation is fixed by local appointing authority. At least minimum wage is required, unless judge volunteers to serve unpaid.

*Minn. Stat. §204B.31 (1) (d) & (2) (Thomson/West 2006).*

Time off work is protected by statute under these conditions:

- Employee must give the employer at least 20 days written notice;
- The county auditor or municipal, township, or school district clerk will provide a form that shows the hours election judges will work and the hourly pay rate. The employee should attach this form to the written notice submitted to the employer;
- Employers can reduce the salary or wages of employees serving as election judges by the amount of compensation paid for being a judge during hours away from work; and
- An employer can also restrict the number of persons serving to less than 20 percent from any single work site.

*Minn. Stat. § 204B.195 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Each election precinct in which less than 100 individuals voted at the last state general election shall have at least two election judges who are members of different major political parties who have received training. In every other election precinct, no individual may serve as an election judge who has not received training.

*Minn. Stat. 204B.25 (1) & (3) (Thomson/West 2006).*

Training is governed by *Minn. Rules 8240. 0100 et seq.*

Regular election judges must complete at least two hours of training, receive a certificate, and complete the training every 24 months to remain qualified.

*Minn. Rules 8240.1300, Minn. Rules 8240.1600 (Thomson/West 2006).*

Head election judges must complete the regular training plus an hour of further training.

*Minn. Rules 8240.1350, 8240.1750 (Thomson/West 2006).*

The appointing authority may examine any individual who seeks appointment as an election judge to determine whether the individual meets any qualification under the statute.

*Minn. Stat. § 204B.19 (4) (Thomson/West 2006).*

Oath required.

*Minn. Stat. § 204B.24 (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No information available.



**Candidates Prohibited**

No candidates or candidates' spouse, parents, children and siblings.

*Minn. Stat. § 204B.19 (2) (b) & (c) (Thomson/West 2006).*

No election judge can serve in same precinct as spouse, parent, child or sibling.

*Minn. Stat. § 204B.19 (2) (b) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

A person convicted of treason or any felony, whose civil rights have not been restored, is ineligible to be an election judge.

*Minn. Stat. § 201.014(2) (a) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if declared legally incompetent.

*Minn. Stat. § 201.014(2) (c) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to speak, read and write the English language.

*Minn. Stat. § 204B.19 (2) (a) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

- 16 years old and up;
- Minnesota high school student or home schooled;
- Appointed without party affiliation as trainee election judge in the county in which the student resides;
- Must have written permission from parent or guardian;
- Will not serve after 10:00 P.M.;
- May not be paid less than two-thirds of the minimum wage for a large employer; and
- Must receive training pursuant to *Minn. Rules 8240.1655*.

*Minn. Stat. § 204B.19 (6) (Thomson/West 2006).*

## Mississippi

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### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a qualified elector.

*Miss. Code Ann. § 23-15-231 (Thomson/West 2006).*

### Age Requirement

18 years of age or older.

*Miss. Code Ann. § 23-15-11 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

State, county, city or town resident for 30 days.

*Miss. Code Ann. § 23-15-11 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

County.

*Miss. Code Ann. § 23-15-231 (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation not required in general and special elections. Required in primaries. In primary elections the county party executive committee appoints the poll managers and designates one of the managers to be the bailiff and one of the managers to be the receiving and returning manager.

*Miss. Code Ann. §§ 23-15-263; 23-15-231; 23-15-251 (Thomson/West 2006).*

In general and special elections the county elections commission appoints the poll managers and designates the roles. The manager designates an initialing and alternate initialing manager.

*Miss. Code Ann. §§ 23-15-231; 23-15-251; 23-15-541 (Thomson/West 2006).*

Managers of general or special elections cannot all be of the same political party if suitable persons of different political parties can be found.

*Miss. Code Ann. § 23-15-231 (Thomson/West 2006).*

In primary elections, managers and clerks may all be members of the same political party.

*Miss. Code Ann. § 23-15-265 (1) (Thomson/West 2006).*

### Term Requirements

No information available.

### Compensation and Hour Requirements

Poll managers paid \$50 for an election or, after approval by the county's board of supervisors or city council, up to a maximum of \$100 per day. A manager who is designated to be the receiving and returning

manager is entitled to an additional \$15 for carrying the boxes to the polling place and another \$15 for returning the boxes) after the election.

*Miss. Code Ann. § 23-15-227 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Not less than 42 days prior to each election, training sessions shall be conducted. No manager shall serve in any election unless he has received such instructions once during the 12 months immediately preceding the date upon which such election is held. The county executive committee or the commissioners of election, as appropriate, shall train a sufficient number of alternates to serve in the event a manager is unable to serve for any reason.

*Miss. Code Ann. § 23-15-239(1) (Thomson/West 2006).*

Compensation, for up to two hours of time, shall not be less than federal minimum wage and no more than \$10 per hour.

*Miss. Code Ann. § 23-15-239(3) (Thomson/West 2006).*

At least 42 days before each election, the officials in charge of the elections shall appoint one or more persons to instruct the managers and in the use of the machine and issue certificates of qualification. No manager or clerk shall serve in any election at which a voting machine is used, unless he shall have received such instruction and has received a certificate to that effect.

*Miss. Code Ann. § 23-15-417 (Thomson/West 2006).*

Oath required.

*Miss. Code Ann. 23-15-237 (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No information available.

#### **Candidates Prohibited**

No information available.

#### **The Effect of Felon Status on Participation**

Prohibited if convicted of disqualifying crimes, which include: bribery, burglary, theft, arson, obtaining money or goods under false pretense, perjury, forgery, embezzlement or bigamy.

*Miss. Code Ann. § 23-15-19; Miss. Const. Art. 12, § 241 (Thomson/West 2006).*

Note: Constitutional Amendment to Miss. Const. Art. 12, § 241 proposed:

"However, a person convicted of a crime under this section that does not involve sex or violence, shall be declared a qualified elector upon completion of his sentence if the person is otherwise a qualified elector under this section. For the purpose of this section a 'nonviolent crime' is a crime in which no person was physically injured or physical injury was not attempted or death did not occur."

*2006 MS H.C.R. 46 (NS) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if insane or an idiot.

*Miss. Const. Ann. Art. 12, § 241 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

- At least 16 years old at the time of election;
- Resident of county or municipality for which the appointment is made; and
- Enrolled in a public high school, an accredited private high school or a legitimate home instruction program and classified as a junior or senior or its equivalent; or enrolled in a junior college or a college or university.
- Not more than two student interns per precinct can be appointed.
- Must be recommended by principal or other school official, or the person responsible for home instruction.
- Student interns shall be under the supervision of the managers and clerks of the election and must attend all required training for managers and clerks.

*Miss. Code Ann. § 23-15-240 (Thomson/West 2006).*

## Missouri

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*Mo. Rev. Stat. § 115.085 (Thomson/West 2006).*

### Age Requirement

17 years and 6 months of age to register and to vote in any election held on or after the voter's 18th birthday.

*Mo. Rev. Stat. § 115.133 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

State and jurisdiction.

*Mo. Rev. Stat. § 115.133(1) & (3); Mo. Const. Art. VIII, § 2 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Jurisdiction unless special permission. Must be registered voters in the jurisdiction in which they will work, unless the election authority of another jurisdiction obtains the written consent of the election authority for the jurisdiction where the prospective judges are registered to vote.

*Mo. Rev. Stat. § 115.085 (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Preference for affiliated. For counties with no board of elections and the election authority is the county clerk: The county committee of each major political party shall submit a list of persons qualified to serve as election judges to the election authority and the election authority shall select and appoint judges from the lists. The election authority may compile a list of persons who claim no political affiliation and who volunteer to be election judges and may select and appoint judges from the list.

*Mo. Rev. Stat. § 115.087 (Thomson/West 2006).*

For counties that have a board of elections:

The county committee of each major political party may submit a list of persons qualified to serve as election judges and the board may select and appoint judges from the lists. The board may compile a list of persons who claim no political affiliation and who volunteer to be election judges and may select and appoint judges from the list.

*Mo. Rev. Stat. § 115.089 (Thomson/West 2006).*

Primary and general elections: appoint at least two judges from each major political party to serve at each polling place. No major political party shall have a majority of the judges at any polling place. No established party shall have a greater number of judges at any polling place than any major political party. Not a primary or general election: appoint at least one judge from each major political party to serve at each polling place. No major political party shall have a majority of the judges at any polling place. No established party shall have a greater number of judges at any polling place than any major political party.

In all elections, the election authority shall designate two of the judges appointed for each polling place, one from each major political party, as supervisory judges.

*Mo. Rev. Stat. § 115.081 (1) - (4) (Thomson/West 2006).*

Board may appoint additional election judges representing other established political parties and additional election judges who do not claim a political affiliation. Any question which requires a decision by the majority of judges shall only be made by the judges from the major political parties.

*Mo. Rev. Stat. § 115.081(6) (Thomson/West 2006).*

#### **Term Requirements**

For counties where the county clerk is the election authority, election judges are appointed for each election.

*Mo. Rev. Stat. § 115.087 (Thomson/West 2006).*

Election judges may be appointed for individual elections or for a term coincident with the term of the board and until the judges' successors are appointed and qualified.

*Mo. Rev. Stat. § 115.089 (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

Part-day possible. Poll hours are 6:00 a.m. to 7:00 p.m. Compensation is set by the election authority.

*Mo. Rev. Stat. § 115.101 (Thomson/West 2006).*

Election judges may be employed to serve for the first half or last half of any election day and will be paid one-half the regular rate of pay.

*Mo. Rev. Stat. § 115.081(5) (Thomson/West 2006).*

No election judge shall be absent from the polls for more than one hour during the hours the polls are open on election day. No election judge shall be absent from the polls before 9:00 a.m. or after 5:00 p.m. on election day. No more than one judge from the same major political party shall be absent from the polls at the same time on election day.

*Mo. Rev. Stat. § 115.097 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

All election authorities shall establish training courses for election judges. Such courses shall include substantially the curriculum developed by the secretary of state's office in accordance with the Help America Vote Act of 2002.

*Mo. Rev. Stat. § 115.103 (Thomson/West 2006).*

Oath required.

*Mo. Rev. Stat. § 115.091. (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No election judge shall, during his or her term of office, hold any other elective public office, other than as a member of a political party committee or township office, except any person who is elected to a board

or commission of a political subdivision or special district may serve as an election judge except at a polling place where such political subdivision or special district has an issue or candidate on the ballot.  
*Mo. Rev. Stat. § 115.085 (Thomson/West 2006).*

#### Candidates Prohibited

No candidate appearing on the ballot, or candidate's relative within the second degree, by consanguinity or affinity, may be an election judge. However, if the candidate is unopposed, then the relative may serve. In addition, in a county of less than 250,000 inhabitants, an unopposed candidate for the county committee of a political party, who is not a candidate for any other office, may serve.  
*Mo. Rev. Stat. § 115.085 (Thomson/West 2006).*

#### The Effect of Felon Status on Participation

Prohibited while incarcerated for a felony, and while on probation or parole, until finally discharged from such probation or parole.

*Mo. Rev. Stat. § 115.133(2); Mo. Rev. Stat. § 561.026 (Thomson/West 2006).*

Prohibited if convicted of a felony or misdemeanor connected with the right of suffrage.

*Mo. Rev. Stat. § 115.133(3); Mo. Rev. Stat. § 561.026 (Thomson/West 2006).*

Persons convicted of felony, or crime connected with the exercise of the right of suffrage may be excluded by law from voting.

*Mo. Const. Art VIII, § 2 (Thomson/West 2006).*

#### The Effect of Mental Incapacitation on Participation

Prohibited if adjudged incapacitated.

*Mo. Rev. Stat. § 115.133(2) (Thomson/West 2006).*

No person who has a guardian of his or her estate or person by reason of mental incapacity, appointed by a court of competent jurisdiction and no person who is involuntarily confined in a mental institution pursuant to an adjudication of a court of competent jurisdiction shall be entitled to vote.

*Mo. Const. Art VIII, § 2 (Thomson/West 2006).*

#### English Fluency and Literacy Requirement

Must speak, read, and write the English language.

*Mo. Rev. Stat. § 115.085 (Thomson/West 2006).*

#### Good Reputation Requirement

Each election judge shall be a person of good repute and character.

*Mo. Rev. Stat. § 115.085 (Thomson/West 2006).*

#### Alternative Positions with Different Requirements

No information available.

**Student Election Assistant Statute**

- 15 to 17 years old;
- Full-time attendance in a school in Missouri;
- Take and sign oath;
- Have demonstrated age-appropriate academic ability and demeanor;
- Be a person of good repute who can speak, read and write the English language; and
- Not be related within the second degree of consanguinity or affinity to any person whose name appears on the ballot, except that no participant shall be disqualified if related within such degree to an unopposed candidate.

*Mo. Rev. Stat. § 115.104 (Thomson/West 2006).*



**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be registered elector.

*Mont. Code Ann. § 13-4-107(1) (Thomson/West 2006).*

**Age Requirement**

18 years of age.

*Mont. Code Ann. § 13-1-111(1) (b) (Thomson/West 2006).*

**Residency Place and Term Required for Voter Registration**

State and county resident for at least 30 days.

*Mont. Code Ann. § 13-1-111(1) (c) (Thomson/West 2006).*

**Residency Requirement for Service (State, County or Precinct)**

Precinct then county. Except if filling a vacancy when there the list is insufficient or if one or more of the eligible political parties fails to submit a list, the election administrator may randomly select, either by manual drawing or by computer, sufficient qualified county residents to fill election judge vacancies in all precincts.

*Mont. Code Ann. § 13-4-107(1); Mont. Code Ann. § 13-4-102(4) (Thomson/West 2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation required. At least 30 days before the primary election in even-numbered years, the county governing body shall appoint three or more election judges for each precinct, one of whom must be designated chief judge.

*Mont. Code Ann. § 13-4-101 (Thomson/West 2006).*

Judges are chosen from lists of qualified registered electors for each precinct in the county, submitted at least 45 days before the primary election in even-numbered years by the county central committees of the political parties eligible to nominate candidates in the primary. All eligible political parties who submitted a list must have a judge appointed to represent that party. No more than the number of election judges needed to obtain a simple majority may be appointed from the list of one political party in each precinct. If any of the political parties failed to submit a list, the governing body shall appoint judges so that all parties eligible to participate in the primary are represented on each board.

*Mont. Code Ann. § 13-4-102 (Thomson/West 2006).*

**Term Requirements**

The election judges continue to be judges of all elections held in their precincts until other judges are appointed.

*Mont. Code Ann. § 13-4-103 (Thomson/West 2006).*

**Compensation and Hour Requirements**

Part-time possible, but there must be three election judges present at all times while the polls are open. Election judges may not leave the polling place other than family emergency or illness.

*Mont. Code Ann. § 13-4-207 (Thomson/West 2006).*

Paid at least Federal minimum wage.

*Mont. Code Ann. § 13-4-106(1) (Thomson/West 2006).*

Chief election judge may be paid at a rate higher than the other election judges.

*Mont. Code Ann. § 13-4-106 (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

Must attend training and receive a current certificate of training.

*Mont. Code Ann. § 13-4-102 & § 13-4-203 (Thomson/West 2006).*

Oath required.

*Mont. Code Ann. § 13-4-105 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No election judge may be a candidate or a spouse, ascendant, descendant, brother, or sister of a candidate or a candidate's spouse or the spouse of any of these in an election precinct where the candidate's name appears on the ballot. However, this does not apply to candidates for precinct offices.

*Mont. Code Ann. § 13-4-107 (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited while serving a sentence in a penal institution for a felony conviction.

*Mont. Code Ann. § 13-1-111(2); Mont. Const. Art. IV, § 2 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudicated to be of unsound mind, unless restored to capacity as provided by law.

*Mont. Code Ann. § 13-1-111(3); Mont. Const. Art. IV, § 2 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

See below.

**Student Election Assistant Statute**

"Election worker," as defined in administrative rules, means an individual designated to perform election support duties. Although this rule does not specifically allow for youth or student election assistants, it was intended in practice to allow county election administrators to employ these individuals as long as they are not performing statutory election judge duties.

*Mont. Admin. R. § 44-3-2102(4) (Thomson/West 2006); Alan Miller, Elections Specialist, Montana Secretary of State's Office (2006).*

## Nebraska

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**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*Neb. Rev. Stat. § 32-231(1) (Thomson/West 2006).***Age Requirement**

At least 18 years of age or is 17 years of age and will attain 18 years of age on or before the first Tuesday after the first Monday in November of the then current calendar year.

*Neb. Rev. Stat. § 32-110 & Neb. Const. Art. VI, § 1 (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

State.

*Neb. Rev. Stat. § 32-110 (Thomson/West 2006).*

Self-supporting students who regard the location of their school as their home may vote where the school is located.

*Swan v. Bowler, 136 Neb. 405, 281 N.W. 891 (1938).***Residency Requirement for Service (State, County or Precinct)**

County in counties with election commissioners.

*Neb. Rev. Stat. § 32-221 (Thomson/West 2006).*

Precinct then county in counties without election commissioners.

Must be a resident of the precinct unless necessity demands that personnel be appointed from another precinct.

*Neb. Rev. Stat. § 32-231(1) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation generally required. Election commissioner shall appoint a precinct inspector and a receiving board of at least two judges and two clerks. One judge and one clerk of election shall be registered voters of the political party casting the highest number of votes in the county for Governor or for President of the United States in the immediately preceding general election, and one judge and one clerk of election shall be registered voters of the political party casting the next highest number of votes, except that one judge or clerk of election may be a registered voter who is not affiliated with either of such parties. If a third judge is appointed, such judge shall be a registered voter of the political party casting the highest number of votes in the county for Governor or for President of the United States in the immediately preceding general election. All precinct and district inspectors shall be divided between all political parties as nearly as practicable in proportion to the number of votes cast in such county at the immediately preceding general election for Governor or for President of the United States by the parties, respectively.

*Neb. Rev. Stat. § 32-223(1); Neb. Rev. Stat. § 32-223(4) (Thomson/West 2006).*

For counties without election commissioners the same rules apply, except that the county clerk appoints, rather than the election commissioner.

*Neb. Rev. Stat. § 32-230 (Thomson/West 2006).*

Counties of populations < 300,000: must be appointed at least 30 days prior to the statewide primary election. Counties of populations > 300,000 appointed at least 30 days prior to the first election for which appointments are necessary.

*Neb. Rev. Stat. § 32-221 (Thomson/West 2006).*

#### **Poll Worker Draft**

Nebraska law permits a county to draft citizens to serve as election day workers. Citizens whose names are drawn from the list of registered voters must serve in four elections.

*Neb. Rev. Stat. § 32-221 (Thomson/West 2006).*

Judges and clerks of election may be selected at random from a cross section of the population of the county. All qualified citizens shall have the opportunity to be considered for service. All qualified citizens shall fulfill their obligation to serve as judges or clerks of election as prescribed by the election commissioner. No citizen shall be excluded from service unless excused by reason of ill health or other good and sufficient reason.

*Neb. Rev. Stat. § 32-221(2) (Thomson/West 2006).*

The election commissioner shall notify each person appointed as a judge or clerk of election, precinct inspector, district inspector, member of a counting board, or member of a canvassing board of the appointment by letter. Such letter shall be mailed at least 15 days prior to the required reporting date for each statewide primary and general election. Each appointee shall, at the time fixed in the notice of appointment, report to the office of the election commissioner or other designated location to complete any informational forms and receive training regarding his or her duties. The training shall include instruction as required by the Secretary of State and any other training deemed necessary by the election commissioner. Each appointee, if found qualified and unless excused by reason of ill health or other good and sufficient reason, shall serve for the term of his or her appointment.

*Neb. Rev. Stat. § 32-228(1) (Thomson/West 2006).*

An appointee, who fails to serve for such term, unless excused by reason of ill health or other good and sufficient reason, is guilty of a Class V misdemeanor. The election commissioner shall submit the names of appointees violating this subsection to the local law enforcement agency for citation pursuant to sections 32-1549 and 32-1550.

*Neb. Rev. Stat. § 32-228(2) (Thomson/West 2006).*

#### **Term Requirements**

Counties with election commissioner:

Counties of populations < 300,000: two years or until their successors are appointed and qualified for the next statewide primary election.

Counties of populations > 300,000: must serve for at least four elections.

*Neb. Rev. Stat. § 32-221 (Thomson/West 2006).*

Counties without election commissioner: two years or until new officials are appointed for the next primary election.

*Neb. Rev. Stat. § 32-231(1) (Thomson/West 2006).*

### **Compensation and Hour Requirements**

**Full- or part-time.**

*Neb. Rev. Stat. § 32-223(3) (Thomson/West 2006).*

Counties with election commissioners: judges, clerks, and inspectors will receive at least minimum wage for each hour of service. The election commissioner decides the rate and may vary the rate based on duties.

*Neb. Rev. Stat. § 32-227 (Thomson/West 2006).*

For counties without election commissioners: at least Federal minimum wage, but the county clerk determines pay rate.

*Neb. Rev. Stat. § 32-233 (Thomson/West 2006).*

### **Employment Protection**

Any person who is appointed in any county to serve as a judge or clerk of election or precinct or district inspector shall not be subject to discharge from employment, loss of pay, loss of overtime pay, loss of sick leave, loss of vacation time, the threat of any such action, or any other form of penalty as a result of his or her absence from employment due to such service if he or she gives reasonable notice to his or her employer of such appointment. Reasonable notice shall be waived for those persons appointed as judges or clerks of election on the day of election to fill vacancies. Any such person shall be excused upon request from any shift work, without loss of pay, for those days he or she is required to serve.

*Neb. Rev. Stat. § 32-241(1) (Thomson/West 2006).*

Any employer of a person appointed to be a precinct or district inspector or a judge or clerk of election who discharges such person from employment, docks such person's pay, overtime pay, sick leave, or vacation time, or in any other way penalizes such person because of his or her service as an inspector, a judge, or a clerk shall be guilty of a Class III felony.

*Neb. Rev. Stat. § 32-1517 (3) (Thomson/West 2006).*

### **Training, Certification and Oath Requirements**

Each appointee shall complete any informational forms and receive training regarding his or her duties. The training shall include instruction as required by the Secretary of State and any other training deemed necessary by the election commissioner.

*Neb. Rev. Stat. § 32-228; Neb. Rev. Stat. § 32-235 (Thomson/West 2006).*

**Oath required.**

*Neb. Rev. Stat. § 32-222; Neb. Rev. Stat. § 32-238 (Thomson/West 2006).*

### **Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No candidates other than a candidate for delegate to a county, State, or national political party convention.

*Neb. Rev. Stat. § 32-221(3); Neb. Rev. Stat. § 32-231(1) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony until two years after the sentence is completed, including any parole term. If convicted of treason in U.S., prohibited until rights are restored.

*Neb. Rev. Stat. § 32-313(1); Neb. Const. Art. VI, § 2 (Thomson/West 2006).*

Note: Legislation Pending to amend felon rule to state:

"No person who has been convicted of a felony under the laws of this state or any other state is qualified to vote or to register to vote until two years after the sentence is completed, including any parole term. The disqualification is automatically removed at such time."

*2005 NE L.B. 53 (NS) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if *non compos mentis*.

*Neb. Rev. Stat. § 32-313(1); Neb. Const. Art. VI, § 2 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to read and write the English language.

*Neb. Rev. Stat. § 32-221(3); Neb. Rev. Stat. § 32-231(1) (Thomson/West 2006).*

**Good Reputation Requirement**

Must be of good repute and character.

*Neb. Rev. Stat. § 32-221(3); Neb. Rev. Stat. § 32-231(1) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

Counties with election commissioners: election commissioner may appoint an election clerk who:

- Is at least 16 years old, but is not eligible to register to vote, and
- Must meet all other requirements to be election worker, except that such clerk shall not be required to be a registered voter.
- No more than one clerk of election appointed this way shall serve at any precinct.
- Student is considered a registered voter who is not affiliated with a political party.

*Neb. Rev. Stat. § 32-223(5) (Thomson/West 2006).*

Counties without election commissioner: same except person appointed by county clerk.

*Neb. Rev. Stat. § 32-230(7) (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

**Must be a registered voter.***Nev. Rev. Stat. Ann. § 293.217 (1) (Thomson/West 2006).***Age Requirement****18 years of age.***Nev. Const. art. 2, § 1 (Thomson/West 2006).***Residency Place and Term Required for Voter Registration****State, district or county 30 days.***Nev. Const. art. 2, § 1 (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)****County.***Nev. Rev. Stat. Ann. § 293.217 (1) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliated preferred. Not less than 60 days before a primary or a general election, the county central committee of each major political party and the executive committee of each minor political party may recommend to the county clerk three registered voters for each precinct in the county to act as election board officers. Thereafter, the clerk may accept recommendations for reserve election board officers.

*Nev. Rev. Stat. Ann. § 293.219 (Thomson/West 2006).*

At least three election board members, one of them designated chairman, are appointed by the county clerk at least 31 days before the election. May not all be of the same political party.

*Nev. Rev. Stat. Ann. § 293.217(1) (Thomson/West 2006).***For city elections election board appointed by city clerk.***Nev. Rev. Stat. Ann. § 293C.220 (Thomson/West 2006).*

County or city clerk may also provide, by rule or regulation, for recommendations by chairman of election board of persons for service on election board.

*Nev. Rev. Stat. Ann. § 293.218; Nev. Rev. Stat. Ann. 293C.225 (Thomson/West 2006).***Term Requirements**

**Term is from the day before the day of the election, until the time for filing contests of the election has expired.**

*Nev. Rev. Stat. Ann. § 293.225(1) (Thomson/West 2006).*

<sup>1</sup> Nevada also has statutes for city elections. Discrepancies will be noted.



**Compensation and Hour Requirements**

Compensation must be fixed by county or city ordinance, resolution or order.

*Nev. Rev. Stat. Ann. § 293.460 (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

All chairmen must attend local election training and must instruct his board before election day.

*Nev. Rev. Stat. Ann. § 293.227 (Thomson/West 2006).*

Within a reasonable time before each election, the county or city clerk shall instruct the members of the election board in the use of the mechanical voting system and in their duties in connection therewith.

*Nev. Rev. Stat. Ann. § 293B.260 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No candidate for nomination or election or his relative within the second degree of consanguinity or affinity may be appointed as an election board officer.

*Nev. Rev. Stat. Ann. § 293.217(1) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if have been or may be convicted of treason or felony in any state or territory of the United States, unless restored to civil rights.

*Nev. Const. Art. 2, § 1 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudicated incompetent, unless restored to legal capacity.

*Nev. Const. Art. 2, § 1; Nev. Rev. Stat. Ann. § 433A.460 (1) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

County clerk may appoint as trainee for election officer:

- U.S. citizen, resident of Nevada, resident of the county in which he serves;
- Enrolled in high school;
- At the time of service, at least 16 years of age;
- Attend the training class; and
- Appointed with no political party affiliation;
- There may not be more than one trainee per precinct.
- Trainee may be counted as one of the election board members.

*Nev. Rev. Stat. Ann. § 293.2175; Nev. Rev. Stat. Ann. § 293.227(2) (Thomson/West 2006).*

City elections: trainee appointed by the city clerk.

*Nev. Rev. Stat. Ann. § 293.2175; Nev. Rev. Stat. Ann. § 293C.222 (Thomson/West 2006).*

## New Hampshire

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*N.H. Rev. Stat. Ann. § 658:3 (Thomson/West 2006).*

### Age Requirement

18 years of age for inspectors and assistant election officials in general.

*N.H. Const. part. 1, Art. 11 (Thomson/West 2006).*

17 years of age for assistant election officials appointed to central polling place in State elections.

*N.H. Rev. Stat. Ann. § 658:7-a; N.H. Rev. Stat. Ann. § 658:7 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

State.

*N.H. Const. part. 1, Art. 11 (Thomson/West 2006).*

Must establish domicile. An inhabitant's domicile for voting purposes is that one place where a person, more than any other place, has established a physical presence and manifests intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government.

*N.H. Rev. Stat. Ann. § 654:1 (Thomson/West 2006).*

Note: College students may choose as his/her voting domicile either the domicile he/she held before entering college or the domicile he/she has established while at college. Most other voters are only allowed to vote in the one municipality where he/she has the domicile where he/she spends most of his/her time and where he/she participates in civic activities and participates in government.

<http://www.sos.nh.gov/college%20student%20letter.doc>.

### Residency Requirement for Service (State, County or Precinct)

Voting district (polling place).

*N.H. Rev. Stat. Ann. § 658:3; N.H. Rev. Stat. Ann. § 658:11 – 14 (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation required for inspectors; not required for assistant moderators and assistant town clerks.

Moderator is the chief election officer in charge of the polls (elected position).

*N.H. Constitution, Part 2, Art. 32; N.H. Rev. Stat. Ann. § 659:9 (Thomson/West 2006).*

For help in central polling place in state elections, moderator may appoint an assistant moderator and such other election officials as he deems necessary. Town clerk, upon request of the moderator, may appoint an assistant town clerk.

*N.H. Rev. Stat. Ann. § 658:7 (Thomson/West 2006).*

For each additional polling place, moderator shall appoint an assistant moderator and the town clerk shall appoint an assistant clerk.

*N.H. Rev. Stat. Ann. § 658:14 (Thomson/West 2006).*

The town or ward political committee for the two political committees which cast the largest number of voters for governor in the last general election may appoint two or three inspectors between September 15th and October 15th of each general election year (depending on size of polling place). Additional inspectors may also be appointed, equally divided between the two political parties, as the moderator finds necessary.

*N.H. Rev. Stat. Ann. § 658:2 (Thomson/West 2006).*

#### **Term Requirements**

Two years from November 1st in the year in which the Inspector is appointed or until a successor is appointed and qualified.

*N.H. Rev. Stat. Ann. § 658:4 (Thomson/West 2006).*

The term of office of assistant election officials appointed to central polling place shall expire at the termination of the proceedings at the election for which he was appointed.

*N.H. Rev. Stat. Ann. § 658:8 (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

No information available.

#### **Training, Certification and Oath Requirements**

The Secretary of State shall prepare, by June 1st preceding each State general election, an up-to-date manual on the New Hampshire election laws and procedures for conducting elections. The manual shall be distributed free of charge to each moderator, board of selectmen, city council, board of supervisors of the checklist and to each town, city and ward clerk.

*N.H. Rev. Stat. Ann. § 652:22 (Thomson/West 2006).*

Oath required.

*N.H. Rev. Stat. Ann. 42:1; N.H. Rev. Stat. Ann. § 658:4 & 7 (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

There are several offices in town government for which a person may not serve while holding another office. The relevant ones are:

- No person shall at the same time hold any two of the following offices: town treasurer, moderator, trustee of trust funds, selectman, and head of any police department on full time duty.
- No selectman, moderator, town clerk or inspector of election shall at the same time serve as supervisor of the checklist.

*N.H. Rev. Stat. Ann. § 669:7 (Thomson/West 2006).*

**Candidates Prohibited**

No candidates other than election officials who are running for a position as an election official.

*N.H. Rev. Stat. Ann. § 658:24 (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited from the time of sentencing until discharge or parole.

*N.H. Rev. Stat. Ann. § 607-A: 2 (Thomson/West 2006).*

Any person convicted of bribery or intimidation relating to elections or any willful violation of the election law is forever disqualified from voting, seeking or holding public office, except that the supreme court may, on notice to the attorney general, restore the privileges of a voter to any person who may have forfeited them by conviction of such offenses.

*N.H. Const. part 1, Art. 11; N.H. Rev. Stat. Ann. 654:6 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

No constitutional or statutory prohibition found.

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

Assistant election official must be 17 years of age and appointed to central polling place in State elections.

*N.H. Rev. Stat. Ann. § 658:7-a; N.H. Rev. Stat. Ann. § 658:7 (Thomson/West 2006).*

## New Jersey

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**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a legal voter who is a member of a political party by virtue of having voted in a party primary or who has filed a party declaration form for the ensuing presidential primary or primary election for the general election with the commissioner of the county in which the voter is registered and who, for two years prior to making written application, has not espoused the cause of another political party or its candidates; or a legal voter who is not affiliated with a political party.

*N.J. Stat. Ann. § 19:6-2(a) (1) & (2) (Thomson/West 2006).*

**Age Requirement**

18 years of age.

*N.J. Const., Art. II, Sec. I, Para. 3 (Thomson/West 2006).*

16 or 17 years of age if qualifications under N.J. Stat. Ann. § 19:6-2(a) are met.

**Residency Place and Term Required for Voter Registration**

Resident of State and of the county for at least 30 days before the election.

*N.J. Const., Art. II, Sec. I, Para. 3 (Thomson/West 2006).*

**Residency Requirement for Service (State, County or Precinct)**

County.

*N.J. Stat. Ann. § 19:6-2 (Thomson/West 2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation generally required, but if insufficient number of political party applicants then will appoint unaffiliated. By January 10th of each presidential year and April 1st of every other year, the county board must appoint the district board from a list of applicants. The members of any district board shall be equally apportioned between the two political parties which at the last general election cast the largest and next largest number of votes respectively in this State for members of the general assembly. If the positions cannot be filled from among qualified members of those two political parties, the county board shall appoint an otherwise qualified person who is unaffiliated with any political party, but no such appointment of an unaffiliated person shall be made prior to January 15th of each presidential year and prior to March 25th of every other year, and in no event shall more than two such unaffiliated persons serve at the same time on any district board.

*N.J. Stat. Ann. § 19:6-3 (Thomson/West 2006).*

Applicants must submit formal, individualized applications to county board.

*N.J. Stat. Ann. § 19:6-2 (Thomson/West 2006).*

County board makes appointments in consultation with chairs of county political parties.

*N.J. Stat. Ann. § 19:6-3(a) (2) (Thomson/West 2006).*

On or before the second Tuesday next preceding the presidential primary election in those years when such an election is held or the primary election for the general election in every other year, each district board shall meet and organize one of its members as judge, who shall be chairman of the board and another of its members as inspector. The judge and inspector shall not be members or voters of the same political party. The other members shall be clerks.

*N.J. Stat. Ann. § 19:6-10 (Thomson/West 2006).*

#### **Term Requirements**

One year, or until their successors are appointed, and shall begin on April 25th of each year.

*N.J. Stat. Ann. § 19:6-8 (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

Part-time possible. The county board determines if there will be one shift or if the day will be split into two shifts. If the day is split into shifts, the county board decides who will work which shifts. The judge and inspector of the board must work both shifts.

*N.J. Stat. Ann. § 19:6-9.1 (Thomson/West 2006).*

Compensation is \$200 for any primary election, the general election or any special election. The member charged with the duty of obtaining and signing for the signature copy registers shall receive an additional \$ 12.50, or \$6.25 per person if the duty is split, and the member with the duty of returning the signature copy registers shall receive an additional \$12.50, or \$6.25 per person if the duty is split.

*N.J. Stat. Ann. § 19:45-5 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Training and certification required every two years. Within 30 days before each election, the county board of elections shall cause new members of the district boards to be trained. All district board members shall be required to attend instructional sessions for each election at least once every two years. The county board of elections shall cause certificates to be issued to those fully qualified to properly conduct the election. County board of elections shall call the instructional meetings of the district boards as shall be necessary. The members of the district board of each election district shall attend such instructional meetings. No member of any district board shall serve in any election unless he shall have received such instruction as herein provided and is fully qualified to perform the duties in connection with the election, and has received a certificate to that effect from the county board of elections; but this shall not prevent the appointment of a person as a member of the district board to fill a vacancy in an emergency. The county board of elections shall design, prepare and distribute training manuals for district board members, pursuant to guidelines established by the Attorney General. The county board of elections shall also make the training manual available on its Internet site and on the Internet site of the Division of Elections in the Department of Law and Public Safety.

*N.J. Stat. Ann. § 19:50-1 (Thomson/West 2006).*

#### **Oath required.**

*N.J. Stat. Ann. § 19:6-11 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No candidates. If a member of the board becomes a candidate for an office to be voted upon at any primary, general election, nonpartisan municipal, school and fire district election, or special election for which he was appointed to serve that position will be deemed vacant.

*N.J. Stat. Ann. § 19:6-12 (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if have been or shall be convicted of a violation of election laws for which criminal penalties were or are imposed, if deprivation was or shall be part of the punishment, unless pardoned or restored by law to the right of suffrage.

*N.J. Stat. Ann. § 19:4-1(6) & (7) (Thomson/West 2006).*

Prohibited if serving a sentence, on parole, or on probation as the result of a conviction of any indictable offense under the laws of any state or of the United States.

*N.J. Stat. Ann. § 19:4-1(8) (Thomson/West 2006).*

Prohibited from serving on election board if convicted of any crime involving moral turpitude.

*N.J. Stat. Ann. § 19:6-2 (Thomson/West 2006).*

Note: Legislation pending that would allow a person who is on probation to vote.

*2006 NJ A.B. 850 (NS) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if an idiot or insane.

*N.J. Stat. Ann. § 19:4-1(1); N.J. Const., Art. II, Sec. II, Para. 6 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must have ability to read the English language readily; ability to add and subtract figures correctly; ability to write legibly with reasonable facility.

*N.J. Stat. Ann. § 19:6-2 (Thomson/West 2006).*

**Good Reputation Requirement**

Must have good moral character and not been convicted of any crime involving moral turpitude.

*N.J. Stat. Ann. § 19:6-2 (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

Translators. In election districts in which the primary language of 10 percent or more of the registered voters is Spanish, the county board shall appoint two additional members who shall be of Hispanic origin and fluent in the Spanish language.

*N.J. Stat. Ann. § 19:6-1 (Thomson/West 2006).*



**Student Election Assistant Statute**

May be a member of the district board of election if:

- U.S. citizen and resident of this State;
- 16 or 17 years of age;
- Attend a secondary school; and
- Written permission of his or her parent or guardian OR
- U.S. citizen and resident of this State;
- 16 or 17 years of age;
- Graduated from a secondary school or has passed a general educational development test; and
- Written permission of his or her parent or guardian.

*N.J. Stat. Ann. § 19:6-2(a) (Thomson/West 2006).*

## New Mexico

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### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*N.M. Stat. Ann. §1-2-8; N.M. Stat. Ann. §1-2-10 (Thomson/West 2006).*

### Age Requirement

18 years of age.

*N.M. Stat. Ann. §1-1-4 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

New Mexico State resident 12 months, in the county 90 days, and in the precinct in which he offers to vote 30 days, next preceding the election.

*N.M. Const. Art. 7, §1 (Thomson/West 2006).*

30 days for presidential elections.

*N.M. Stat. Ann. §1-21-3 (Thomson/West 2006).*

A person does not gain or lose residence solely by reason of his presence or absence while a student at an institution of learning.

*N.M. Stat. Ann. §1-1-7(D) (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct then county. Shall be a resident of the representative district and county in which the precinct where he is a voter is located. Wherever possible, the county clerk shall assign persons appointed as precinct board members to serve in precincts wherein they reside or in precincts located in the representative district wherein they reside.

*N.M. Stat. Ann. §1-2-7(A) (1); N.M. Stat. Ann. §1-2-11 (Thomson/West 2006).*

In the event of a shortage or absence of precinct board members in certain precincts, the county clerk may, in the best interest of the election process, assign appointed precinct board members to serve in any precinct in the county, provided that such appointed board members shall not change the proportionate representation of each party on the board.

*N.M. Stat. Ann. §1-2-11 (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation considered. Appointment of election officials varies according to numbers of voting machines, but the various formulae maintain a balance so that representation from all major political parties is assured.

*N.M. Stat. §1-2-12 (B) - (D) (Thomson/West 2006).*

The county clerk, on or before 55 days next preceding the primary election, shall appoint the precinct board for each precinct in the following order: from the list submitted by the major party county chairmen,

from the standby list (compiled by county clerk), from any other list of voters who have the same qualifications and comply with the same requirements as provided for precinct board members.

*N.M. Stat. Ann. §1-2-10; N.M. Stat. Ann. §1-2-6 (A) (Thomson/West 2006).*

If the county clerk determines that additional election clerks are needed in a precinct, the clerk may appoint such additional election clerks as he deems necessary; provided, however, that such appointments shall be made in the manner that provides for representation from all major political parties.

*N.M. Stat. Ann. §1-2-12(E) (Thomson/West 2006).*

The county chairman of each of the major political parties may file with the county clerk at least 30 days before the date of appointment the names of not more than four voters for each precinct to be considered for appointment as a member of the precinct board. Such names shall be those of persons residing in the precinct to which they are to be appointed and who meet the qualifications required for a precinct board member. The county chairman may indicate his order of preference for each of the persons recommended for each precinct.

*N.M. Stat. Ann. §1-2-8 (Thomson/West 2006).*

#### **Term Requirements**

The members of the precinct board shall be appointed for a term of two years beginning April 1, 2006.

*N.M. Stat. Ann. §1-2-6(B) (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

Members of a precinct board shall be compensated for their services at the rate of not less than the Federal minimum hourly wage rate or more than \$150 for an election day.

*N.M. Stat. Ann. §1-2-16(A) (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Before serving as a presiding judge of a precinct board, a person shall receive training in the duties of that position and be certified for the position by the county clerk.

*N.M. Stat. Ann. §1-2-7(B) (Thomson/West 2006).*

#### **Oath required.**

*N.M. Stat. Ann. §1-2-7(A) (4) (Thomson/West 2006).*

Each judge must attend a school of instruction in the calendar year that they are appointed to serve.

*N.M. Stat. Ann. §1-2-17(E) (Thomson/West 2006).*

The Secretary of State shall provide: (1) instructions for the precinct board, which shall include a brief non-technical explanation of their duties as required by the election code; and (2) a single training manual containing standard guidelines for the operations and processes of statewide elections, including pre-election day activities, election-day activities and post-election-day activities and county and State canvassing processes. When any specific duty is imposed by the instructions issued under the election code, the duty shall be deemed to be a requirement of the law.

*N.M. Stat. Ann. §1-2-7 (A) & (B) (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No person who is a sheriff, deputy sheriff, marshal, deputy marshal or State or municipal policeman.

*N.M. Stat. Ann. §1-2-7(C) (3) (Thomson/West 2006).*

**Candidates Prohibited**

No candidates for any Federal, State, district or county office or spouse, parent, child, brother or sister of any candidate to be voted for at the election.

*N.M. Stat. Ann. §1-2-7(C) (1) & (2) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felonious or infamous crime, unless restored to political rights.

*N.M. Const. Art. 7, §1 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if idiot or insane.

*N.M. Const. Art. 7, §1 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to read and write and have the necessary capacity to carry out functions with acceptable skill and dispatch.

*N.M. Stat. Ann. §1-2-7(A) (2) & (3) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

**Messengers.** County clerk may appoint messengers to deliver ballot boxes, poll books, keys, election supplies and other materials pertaining to the election. Messengers shall be paid mileage as provided in the Per Diem and Mileage Act each way over the usually traveled route.

*N.M. Stat. Ann. §1-2-20 (Thomson/West 2006).*

Per diem rates can be as high as \$95 per day.

*N.M. Stat. Ann. §10-8-4 (Thomson/West 2006).*

**Translators.** In those polling places designated by the Secretary of State as being subject to the provisions of the 1975 amendments to the Federal Voting Rights Act of 1965, oral assistance shall be made available to assist language minority voters who cannot read sufficiently well to exercise the elective franchise.

In those precincts where oral assistance is required, the position of election translator is created. The election translator shall:

- Be an additional member of the regular precinct board unless oral assistance to language minorities can otherwise be rendered by a member of the regular precinct board;
- Be appointed by the county clerk in the same manner as other precinct board members are appointed, except that the county clerk in appointing American Indian election translators shall seek the advice of the pueblo or tribal officials residing in that county;
- Take the oath required of precinct board members;
- Meet the same qualifications as other precinct board members; and
- Represent each political party as required by law for precinct boards.

*N.M. Stat. Ann. §1-2-19 (A) - (C) (Thomson/West 2006).*

#### **Student Election Assistant Statute**

No information available.

## New York

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**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*N.Y. Elec. Law §3-400(6); N.Y. Elec. Law §3-401(5) (Thomson/West 2006).***Age Requirement**

18 years of age.

*N.Y. Elec. Law § 5-102 (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

County for a minimum of 30 days preceding election.

*N.Y. Elec. Law § 5-102; N.Y. Elec. Law §3-400(6); N.Y. Elec. Law §3-401(5) (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)**

County, or for New York City, city.

*N.Y. Elec. Law §3-400(6); N.Y. Elec. Law §3-401(5) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation required. Appointments are equally divided between major political parties.

*N.Y. Elec. Law §3-400(3); N.Y. Elec. Law §3-401(2) (Thomson/West 2006).*

Appointments made by county board on or before the 15th day of July of each year, from designations certified by party's county or city committee chair by May 1st, and from board's additional inspector list if necessary.

*N.Y. Elec. Law §3-404(2) (3); N.Y. Elec. Law §3-404(6) (Thomson/West 2006).***Term Requirements**

One year or partial unexpired term (July 15 to July 14).

*N.Y. Elec. Law §3-404(1) (Thomson/West 2006).***Compensation and Hour Requirements**

Municipality determines compensation within statutory limitations. In New York City inspectors no less than \$130 per day; coordinators no less than \$200 per day.

*N.Y. Elec. Law §3-420 (Thomson/West 2006).*

Note: Legislation pending to raise compensation in New York City to: inspectors no less than \$300 per day; coordinators no less than \$400 per day.

*2005 NY A.B. 9530 (NS) (Thomson/West 2006).*

<sup>4</sup> New York City functions as a county. Minor variations of rules exist in Monroe, Nassau and Suffolk Counties.

**Training, Certification and Oath Requirements**

Course, using State mandated core curriculum with local augmentation, required every year. Exam required every year. Certification given if exam passed. Oath of office required.

*N.Y. Elec. Law §3-410; N.Y. Elec. Law §3-412; N.Y. Elec. Law §3-414 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No elected public official.

*N.Y. Elec. Law §3-400(6); N.Y. Elec. Law §3-401(5) (Thomson/West 2006).*

**Candidates Prohibited**

No candidates or candidates' spouses, parents and children.

*N.Y. Elec. Law §3-400(6); N.Y. Elec. Law §3-401(5) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony pursuant to the laws of any State or the United States, unless pardoned or restored to the rights of citizenship, or maximum sentence of imprisonment has expired, or discharged from parole. A condition to any pardon may require that the right of suffrage is not regained until it shall have been separately restored.

*N.Y. Elec. Law § 5-106(2), (3) & (4) (Thomson/West 2006).*

Prohibition appears to include non-felons who have been convicted of violation of election laws. They are prohibited from participating in election at issue.

*N.Y. Elec. Law § 5-106 (1) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudged "incompetent" by court order and not thereafter determined "competent."

*N.Y. Elec. Law §5-106(6) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to speak and read the English language and write it legibly.

*N.Y. Elec. Law §3-400(6); N.Y. Elec. Law §3-401(5) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

In New York City may not need to be a registered voter to be a translator, information clerk, or door clerk. Must be a permanent resident, 18 years old, fluent in the English language, and for translators fluent in language required.

*<http://vote.nyc.ny.us/pollworkers.html> (2006).*

**Pending Legislation for Part Time**

"The board of elections may employ election inspectors to work half- day shifts with adjusted compensation, provided, however, that at least one inspector from each of the two major political parties is present at the poll site for the entire time that the polls are open. Each county board of elections shall prescribe the necessary rules and procedures to ensure proper poll site operation."

2005 NY A.B. 11074 (NS) (Thomson/West 2006).

**Student Election Assistant Statute****Pending Legislation for Students**

"A person who is sixteen or seventeen years of age, who is enrolled in a secondary school and fulfilling the requirements of section thirty-two hundred five-a of the education law, shall be eligible to be appointed as and perform the duties of a poll clerk while under supervision of a poll clerk who is eighteen years of age or older."

2005 NY A.B. 10424 (NS) (Thomson/West 2006).



## North Carolina

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter of the county where serves.

*N.C. Gen. Stat. §163-41(a) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*N.C. Gen. Stat. §163-55 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

State and precinct for a minimum of 30 days preceding election.

*N.C. Gen. Stat. §163-55 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct. Precinct resident given preference and will replace non-precinct resident if available. Majority must be precinct residents.

*N.C. Gen. Stat. §163-41(a) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation generally required. County board makes appointments from lists submitted by party chairs no later than the fifth day before the date on which appointments are to be made. Appointments are made at a meeting on the Tuesday following the third Monday in August. The county board shall assure, wherever possible, that no precinct has a chief judge and judges all of whom are registered with the same party. Not more than one precinct judge shall belong to same political party as chief judge. Where parties cannot find worker or a worker resigns, county board will appoint substitute to replace from the same party. However, the county may fill with unaffiliated workers or a worker of a different party if needed.

*N.C. Gen. Stat. §163-41(a) (Thomson/West 2006); Don Wright, General Counsel, North Carolina State Board of Elections (2006).*

### Term Requirements

Two years unless non-precinct resident appointed, in which case term ends when precinct resident of same party is appointed.

*N.C. Gen. Stat. §163-41(a) (Thomson/West 2006).*

### Compensation and Hour Requirements

State minimum wage for election day, however most counties pay more. Average election day pay for a precinct judge would be \$150, and for a precinct worker \$100.

*N.C. Gen. Stat. §163-46 (Thomson/West 2006); Don Wright, General Counsel, North Carolina State Board of Elections (2006).*

Required to remain at polling place until all election duties, including producing an unofficial vote count at the precinct, are complete.

*N.C. Gen. Stat. §163-47 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Training, exam and certification prescribed by State board.

*N.C. Gen. Stat. §163-82.24 (Thomson/West 2006).*

County board shall conduct mandatory, compensated instructional meeting.

*N.C. Gen. Stat. §163-46 (Thomson/West 2006).*

County board shall provide training on voting systems.

*8 NC ADC 4.0305 (Thomson/West 2006).*

Tasks and duties outlined in 8 NC ADC 10B.0101.

Oath required.

*N.C. Gen. Stat. §163-41(a) (Thomson/West 2006).*

Dereliction of duties may result in criminal consequences.

*N.C. Gen. Stat. §163-274; 8 NC ADC 10B.010 (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No elected public official, officer for a political party or political organization, or manager or treasurer of a political party.

*N.C. Gen. Stat. §163-41(a) (Thomson/West 2006).*

#### **Candidates Prohibited**

No candidates or candidates' spouses, parents, siblings, and children.

*N.C. Gen. Stat. §163-41(a) (Thomson/West 2006).*

#### **The Effect of Felon Status on Participation**

Prohibited if adjudged guilty of a felony against North Carolina or the United States, or adjudged guilty of a felony in another State that also would be a felony if it had been committed in North Carolina, unless restored to the rights of citizenship in the manner prescribed by law. Citizenship is automatically restored to a felon upon that felon's discharge from custody, probation, or parole.

*N.C. Gen. Stat. §163-55 (a) (2); N.C. Const. Art. VI §2 (3); N.C. Gen. Stat. §13-1 (Thomson/West 2006).*

#### **The Effect of Mental Incapacitation on Participation**

May be prohibited by an un-revoked adjudication of incompetence.

*N.C. Gen. Stat. §122C-58 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to read and write.

*N.C. Gen. Stat. §163-41(a) (Thomson/West 2006).*

**Good Reputation Requirement**

Must be of good repute.

*N.C. Gen. Stat. §163-41(a) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

Assistants, unlike judges, may serve at the polls on election day less than the length of the full day of operations.

*N.C. Gen. Stat. §163-42 (Thomson/West 2006); Don Wright, General Counsel, North Carolina State Board of Elections (2006).*

Emergency election day assistants are subject to the same qualifications and eligibility of precinct officials and may be appointed by the county boards to serve as needed on election day at the polls.

*N.C. Gen. Stat. §163-42 (Thomson/West 2006); Don Wright, General Counsel, North Carolina State Board of Elections (2006).*

Ballot counters have the same general qualifications and eligibility of precinct officials and may be appointed by the county boards to serve as needed counting ballots at the close of election day at the polls.

*N.C. Gen. Stat. §163-43 (Thomson/West 2006); Don Wright, General Counsel, North Carolina State Board of Elections (2006).*

Poll observers appointed by political parties are allowed in polling locations, and are not precinct officials and have no election jurisdiction or duties.

*N.C. Gen. Stat. §163-45 (Thomson/West 2006); Don Wright, General Counsel, North Carolina State Board of Elections (2006).*

**Student Election Assistant Statute**

- 17 years of age;
- County resident;
- Enrolled in secondary educational institution or home-schooled;
- Exemplary academic record;
- Principal recommendation; and
- Consent of parent or guardian.

*N.C. Gen. Stat. §163-42.1 (Thomson/West 2006).*

## North Dakota

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### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be qualified elector eligible to vote.

*N.D. Cent. Code § 16.1-05-02(1) (a) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*N.D. Cent. Code § 16.1-01-04(1) (Thomson/West 2006).*

16 or 17 years of age if able to meet qualifications set out in N.D. Cent. Code § 16.1-05-02(1) (b).

### Residency Place and Term Requirement Pursuant to Registration Law

State resident and has resided in the precinct at least 30 days next preceding any election.

*N.D. Cent. Code § 16.1-01-04(1) (Thomson/West 2006).*

For the purposes of elections, an individual may not be deemed to have gained or lost a residence solely by reason of the individual's presence or absence while enrolled as a student at a college, university, or other postsecondary institution of learning in this State.

*N.D. Cent. Code § 16.1-01-04(5) (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct, then legislative district, then county. Must be qualified elector of a precinct within the polling place boundaries in which the person is assigned to work and must be eligible to vote at the polling place to which the person is assigned. If the county auditor has exhausted all practicable means to select judges and clerks from within the boundaries of the precincts within the polling place and vacancies still remain, the county auditor may select election judges and clerks who reside outside of the voting precinct but who reside within the polling place's legislative districts. If vacancies still remain, the county auditor may select election judges and clerks who reside outside of the legislative districts but who reside within the county.

*N.D. Cent. Code § 16.1-05-01(2); N.D. Cent. Code § 16.1-05-02(1) (a) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation required for judges and clerks, but inspectors may be unaffiliated. For incorporated cities the governing body of the city, and in for other precincts the county auditor (with the approval of the majority of the board of county commissioners), shall appoint the election inspectors.

*N.D. Cent. Code § 16.1-05-01(1) (b) & (c) (Thomson/West 2006).*

The election judges and poll clerks for each polling place must be appointed in writing by the district chairs representing the two parties that cast the largest number of votes in the State at the last general election.

*N.D. Cent. Code § 16.1-05-01(2) (Thomson/West 2006).*

Twenty-one days before an election each party chair give notice of appointments to the county auditor. If this notice is not received within the time specified, the county auditor shall appoint the judges and poll clerks.

*N.D. Cent. Code § 16.1-05-01(2) (Thomson/West 2006).*

#### **Term Requirements**

An election inspector shall serve until a successor is named.

*N.D. Cent. Code § 16.1-05-01(f) (c) (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

County auditors shall pay at least the State minimum wage to the relevant election officials. Members of election boards who attend the county's training sessions must be paid at least 25 percent more than the State minimum wage during the time spent in the performance of their election duties.

*N.D. Cent. Code § 16.1-05-05 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

A person serving as a member of the election board shall, prior to each election, attend a period of instruction conducted by the county auditor.

*N.D. Cent. Code § 16.1-05-02(4) (Thomson/West 2006).*

Not less than 30 days before any election, the Secretary of State shall provide an instruction manual approved by the attorney general, which in layman's terms presents in detail the responsibilities of each election official. The Secretary of State shall forward sufficient copies of this manual to each county auditor who shall distribute the manuals to each member of all the election boards in the county.

*N.D. Cent. Code § 16.1-05-03(1) (Thomson/West 2006).*

Before each primary and general election, each county auditor or the auditor's designated representative shall conduct training sessions on election laws and election procedures for election officials in the county and may conduct training sessions before any special statewide or legislative district election. Attendance at the session is mandatory for members of the election board and for poll clerks. The state's attorney shall attend all sessions to give advice on election laws.

*N.D. Cent. Code § 16.1-05-03(2) (Thomson/West 2006).*

An election official, at the option of the county auditor, may be excused from attending a third training session on election laws within a 12 month period.

*N.D. Cent. Code § 16.1-05-03(3) (Thomson/West 2006).*

Oath required.

*N.D. Cent. Code § 16.1-05-02(3) (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No prohibition.

*Jim Sitrup, Deputy Secretary of State, North Dakota (2006).*

**Candidates Prohibited**

No candidate or a husband, wife, father, mother, father-in-law, mother-in-law, son, daughter, son-in-law, daughter-in-law, brother, or sister, whether by birth or marriage, of the whole or the half-blood, of any candidate in the election at which the person is serving.

*N.D. Cent. Code § 16.1-05-02(2) (b) & (c) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony until civil rights are restored.

*N.D. Cent. Code § 16.1-01-04(4); N.D. Const. Art. II §2 (Thomson/West 2006).*

Prohibited if sentenced for a felony to a term of imprisonment, during the term of actual incarceration under such sentence.

*N.D. Cent. Code §12.1-33-01(1) (a) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if declared mentally incompetent by order of a court or other authority having jurisdiction, which order has not been rescinded.

*N.D. Const. Art. II § 2; N.D. Cent. Code § 30.1-28-04(3) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No one may serve who has anything of value bet or wagered on the result of an election.

*N.D. Cent. Code § 16.1-05-02(2) (a) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

A student enrolled in a high school or college in this State who has attained the age of 16 is eligible to be appointed as a poll clerk if the student possesses the following qualifications:

- Is a United States citizen or will be a citizen at the time of the election at which the student will be serving as a member of an election board;
- Is a resident of this state and has resided in the precinct at least 30 days before the election; and
- Is a student in good standing attending a secondary or higher education institution.

A student appointed as a poll clerk may be excused from school attendance and may not be recorded as being absent on any date for which the excuse is operative. No more than two students may serve as poll clerks on an election board.

An individual who has attained the age of 16 and has graduated from high school or obtained a general education degree from an accredited educational institution is eligible to be appointed as a poll clerk.

*N.D. Cent. Code § 16.1-05-02(b) & (c) & (d) (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

**Must be a qualified elector of the county.***Ohio Rev. Code § 3501.22(A) (Thomson/West 2006).*

If the board of elections determines that not enough qualified electors in a precinct are available to serve as precinct officers, it may appoint persons to serve as precinct officers at a primary, special, or general election who are at least seventeen years of age and are registered to vote.

*Ohio Rev. Code § 3501.22(B) (Thomson/West 2006).***Age Requirement****18 years of age.***Ohio Rev. Code § 3503.01 (Thomson/West 2006).*

But for primary elections, may vote if 18 years of age or over by the next general election.

*Ohio Rev. Code § 3503.011 (Thomson/West 2006).*

If the board of elections determines that not enough qualified electors in a precinct are available to serve as precinct officers, it may appoint persons to serve as precinct officers at a primary, special, or general election who are at least 17 years of age and are registered to vote.

*Ohio Rev. Code § 3501.22(B) (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

Resident of and registered to vote in State for 30 consecutive days preceding election and resident of county and precinct at time of voting.

*Ohio Rev. Code § 3503.01 (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)****County.***Ohio Rev. Code § 3501.22(A) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Not more than half of judges or election officers in a precinct may be from same political party, and presiding judge will be chosen from the dominant political party. "Additional officials" must be divided equally between the two major political parties.

*Ohio Rev. Code § 3501.22(A) (Thomson/West 2006).*

Precinct officials in a primary election must be equally divided between two major political parties.

*Ohio Rev. Code § 3501.23 (Thomson/West 2006).*

On September 15th of each year, county boards appoint, by majority vote, four county residents to each election precinct. These are the judges, and they constitute the precinct election officers.

*Ohio Rev. Code § 3501.22(A) (Thomson/West 2006).*

**Term Requirements**

One year terms starting on September 15th.

*Ohio Rev. Code § 3501.22(A) (Thomson/West 2006).*

**Compensation and Hour Requirements**

Compensation is for full election day, from one-half hour before opening of polls until all procedures are complete.

*Ohio Rev. Code § 3501.26(A) (2) & (F); Ohio Rev. Code § 3501.31 (Thomson/West 2006). [In practice, poll worker's hours may begin earlier than 6:00 a.m. Cuyahoga County BOE].*

Polls will be open from 6:30 a.m. until 7:30 p.m. unless there are voters in line, in which case the polls shall be kept open until such waiting voters have voted.

*Ohio Rev. Code § 3501.32 (Thomson/West 2006).*

The board of elections shall mail to each precinct election official notice of the date, hours, and place of holding each election in the official's respective precinct at which it desires the official to serve. Each of such officials shall notify the board immediately upon receipt of such notice of any inability to serve.

*Ohio Rev. Code § 3501.31 (Thomson/West 2006).*

Election judges shall receive no less than minimum wage, but no more than \$95 per day (variable with increase in minimum wage,) is required by the State. County board may increase the amount pursuant to a variety of statutory limits, including timely notice to the county commissioners.

*Ohio Rev. Code § 3501.28 (E) (1) (c) & (2) (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

All election judges shall complete a program of instruction. County board must provide training, within 60 days of election, using both materials produced by the Secretary of State and its own supplements. County board must re-instruct election officials at least once every three years, and re-instruct presiding judges before primaries in even numbered years. If a trained judge is unavailable, then an untrained judge may be employed.

*Ohio Rev. Code § 3501.27(A), (B) & (C) (Thomson/West 2006).*

**Oath required.**

*Ohio Rev. Code § 3501.31 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

Does not apply.

**Candidates Prohibited**

Candidate cannot serve in same precinct where running, except for unopposed candidate for county central committee.

*Ohio Rev. Code § 3501.15; § 3501.27(A) (Thomson/West 2006).*



**The Effect of Felon Status on Participation**

Prohibited if have been convicted of a felony, or any violation of the election laws.

*Ohio Rev. Code § 3501.27(A); 1932 OAG 4650 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

No idiot, or insane person, shall be entitled to the privileges of an elector, thus ineligible to serve as poll worker.

*Ohio Const. Art. 5, § 6 (Thomson/West 2006).*

Prohibited if adjudicated incompetent for the purpose of voting.

*Ohio Rev. Code § 3503.18; Ohio Rev. Code § 5122.301 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to read and write the English language readily.

*Ohio Rev. Code § 3501.27(A) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

Board may designate some election officers to perform duties at any precinct. Board may appoint additional officials, divided equally between the two major political parties, to expedite voting. Appointment appears to be limited to term of election requiring the additional workers. Training requirements are the same as for judges.

*Ohio Rev. Code § 3501.22(A) (Thomson/West 2006).*

Interpreter need determined by county board. Appointments follow same training and compensation rules as applied to appointment of precinct election officials. Because interpreters are fully trained, they can also function as precinct election officers.

*Ohio Rev. Code § 3501.221(A) (Thomson/West 2006).*

**Student Election Assistant Statute**

Board of elections may establish high school precinct officer program. Rules must include:

- County residency;
- At least 17 years old and enrolled in the senior year of high school;
- Must declare party affiliation with the board of elections;
- Cannot serve as presiding judge;
- School absence shall be excused; and
- No more than one student under 18 years of age may serve in a precinct.

*Ohio Rev. Code § 3501.22(C) - (D) (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

26 Okla. Stat. § 2-131 (Thomson/West 2006).

**Age Requirement**

18 years of age.

Okla. Const., Art. 3, § 1; 26 Okla. Stat. § 4-101 (Thomson/West 2006).

**Residency Place and Term Required for Voter Registration**

Bona fide resident of State for 25 days.

Okla. Const., Art. 3, § 1; 26 Okla. Stat. § 4-103 (Thomson/West 2006).

**Residency Requirement for Service (State, County or Precinct)**

County.

26 Okla. Stat. § 2-131 (Thomson/West 2006).

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation required for judges and clerks; affiliation not required for inspector. The county election board appoints the judge and clerk from lists of nominees provided by the two political parties with the highest number of registered voters in State. No later than June 15, 1975, and every four years thereafter, the county central committees of the two parties with the highest number of registered voters in the State, based on the latest January 15th registration report, shall submit a list of three nominees for each precinct to the county election board. The county election board shall be confined to the list of nominees submitted by either party and shall appoint one member of each precinct election board from each party no later than July 1, 1975, and every four years thereafter. If no list is submitted by a county central committee for any precinct by the specified date, or if the nominees for a precinct are unable to serve, then the county election board shall appoint one member of said precinct election board from the ranks of said party within the precinct. The judge and clerk must be registered to vote in different political parties.

26 Okla. Stat. § 2-124 (Thomson/West 2006).

County election board may appoint any qualified voter it chooses as the inspector.

26 Okla. Stat. § 2-125 (Thomson/West 2006).

Additional precinct election board members. In anticipation of large numbers of voters in specific precincts, the county election board may be authorized to appoint additional precinct election board members, in multiples of three.

26 Okla. Stat. § 2-128.1 (Thomson/West 2006).

**Term Requirements**

Inspector serves until he or she resigns or until removed by the county election board.

26 Okla. Stat. § 2-125 (Thomson/West 2006).

Judge and clerk serve four year terms.

26 Okla. Stat. § 2-124 (Thomson/West 2006).

**Compensation and Hour Requirements**

The inspector shall be paid \$95 for each election and shall be allowed mileage reimbursement. Judges, clerks and counters shall be paid \$85 and shall be allowed mileage reimbursement.

26 Okla. Stat. § 2-129 (Thomson/West 2006).

**Training, Certification and Oath Requirements**

Training every two years (even numbered years).

26 Okla. Stat. § 3-103 (Thomson/West 2006).

Persons attending such training programs shall be paid \$12.

26 Okla. Stat. § 3-111 (Thomson/West 2006).

Oath required.

26 Okla. Stat. § 3-125 (Thomson/West 2006).

**Elected Public Officials Prohibited**

County election board is prohibited by law from appointing as inspector, judge or clerk any person related to any member of the county election board within the third degree by either consanguinity or affinity.

Okla. Admin. Code § 230:10-3-32 (Thomson/West 2006).

**Candidates Prohibited**

No candidate for office, or a deputy or regular employee of a candidate for office, or any person related within the third degree by either consanguinity or affinity to a candidate for office on the ballot in the precinct.

26 Okla. Stat. § 2-132 (Thomson/West 2006).

"Consanguinity" means "blood" relative. "Affinity" means relative "by marriage." "Third degree" includes only parents, children, brothers, sisters, grandparents, grandchildren, uncles, aunts, nieces, nephews, great-grandparents and great-grandchildren.

Okla. Admin. Code § 230:10-3-29(a) (Thomson/West 2006).

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony for a period of time equal to the time prescribed in the judgment and sentence.

26 Okla. Stat. § 4-101(f) (Thomson/West 2006).

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudged to be an incapacitated person as such term is defined by Section 1-111 of Title 30 of the Oklahoma Statutes, until adjudged to be no longer incapacitated.

*26 Okla. Stat. § 4-101(f) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

Additional workers may be appointed to assist the precinct election board members with specific tasks. They must meet the same requirements as precinct officials, and are paid the same amount as the judges and clerks.

*26 Okla. Stat. § 2-128.2 (Thomson/West 2006).*

These additional workers are typically used to assist in precincts where large numbers of provisional voters are expected. They may also be used in rural precincts where a large number of voters may need to update their voter registration addresses after implementation of 911 addresses in the county.

*Vada Holstein, Customer Assistance Representative, Oklahoma State Election Board (2006).*

**Student Election Assistant Statute**

No information available.

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be an elector (registered voter).

*Or. Rev. Stat. Ann. § 246.310(4); Or. Const. Art. II § 2 (1) (c) (Thomson/West 2006).*

**Age Requirement**

18 years of age.

*Or. Const. Art. II § 2 (Thomson/West 2006).*

An otherwise qualified individual who will turn 18 years of age on or before the date of the election may register after the 60th day before the election.

*Or. Rev. Stat. Ann. § 247.015(2) (Thomson/West 2006).*

16 years of age per rules in *Or. Admin. R. §165-018-0030*.

*Or. Rev. Stat. Ann. § 246.310(4) (Thomson/West 2006).*

**Residency Place and Term Required for Voter Registration**

County and State.

*Or. Const. Art. II, § 2(1) (b) (Thomson/West 2006).*

No person shall be deemed to have gained, or lost a residence, by reason of his presence or absence while a student of any seminary of learning.

*Or. Const. Art. II, § 4 (Thomson/West 2006).*

**Residency Requirement for Service (State, County or Precinct)**

County.

*Or. Rev. Stat. Ann. § 246.310(4) (Thomson/West 2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation considered. A precinct's election board may not all be members of the same political party.

*Or. Rev. Stat. Ann. § 246.310(4) (Thomson/West 2006).*

Not later than the 30th day before the primary election the county clerk shall appoint persons to serve on election boards.

*Or. Rev. Stat. Ann. § 246.310(1) (a) (Thomson/West 2006).*

Clerk must provide a copy of the list of appointees to each political party within the county that is affiliated with a major political party. Any elector may file any objection or suggestion respecting the appointments and the county clerk must consider them.

*Or. Rev. Stat. Ann. § 246.320(1) & (2) (Thomson/West 2006).*

<sup>7</sup> Oregon is a "Vote-by-Mail" State, and therefore uses very few poll workers.

**Term Requirements**

Two years.

*Or. Rev. Stat. Ann. § 246.310(2) (Thomson/West 2006).*

**Compensation and Hour Requirements**

County fixes wage, which must be no less than the Federal or State minimum wage, whichever is higher.

*Or. Rev. Stat. Ann. § 246.330(1) (Thomson/West 2006).*

Volunteers are permitted.

*Or. Rev. Stat. Ann. § 246.330(2) (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

The county clerk arranges at least one meeting every two years. Instruction shall conform to rules, directives and instructions of the Secretary of State.

*Or. Rev. Stat. Ann. § 246.335(1) (Thomson/West 2006).*

All polling place elections shall be conducted following the requirements ORS Chapter 254 and the 1998 Election Board Manual.

*Or. Admin. R. § 165-007-0030 (2) (Thomson/West 2006).*

Oath required.

*Or. Rev. Stat. Ann. § 254.275 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No candidate, except candidate for precinct committee person. No candidate's spouse, child, son or daughter-in-law, parent, mother or father-in-law, sibling, brother or sister-in-law, aunt, uncle, niece, nephew, stepparent or stepchild, unless the candidate is for precinct committee person and is the only such relative who is a candidate on the ballot.

*Or. Rev. Stat. Ann. § 246.310(4) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony and serving a term of imprisonment in the custody of the department of corrections or if convicted of any crime and serving a term of imprisonment in any Federal correctional institution, until discharged or paroled from imprisonment or conviction is set aside. Rights and privileges are restored automatically upon discharge or parole from imprisonment, but in the case of parole shall be automatically withdrawn upon a subsequent imprisonment for violation of the terms of the parole.

*Or. Const. Art. II, § 2(1) (a); Or. Rev. Stat. Ann. § 137.281 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

A person suffering from a mental handicap is entitled to the full rights of an elector, if otherwise qualified, unless the person has been adjudicated incompetent to vote as provided by law.

*Or. Const. Art. II, §3 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to read, write and speak the English language.

*Or. Rev. Stat. Ann. § 246.310(4) (Thomson/West 2006).*

**Good Reputation Requirement**

The county clerk shall appoint board clerks who have the necessary capacity and ability to carry out their functions with sufficient skill and dispatch.

*Or. Rev. Stat. Ann. § 246.310(4) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

Secretary of State shall adopt by rule standards under *Or. Admin. R. § 165-018-0030*, which county clerks may employ persons to serve as election board clerks who are not electors of the county but who are residents of the county and who are at least 16 years of age.

*Or. Rev. Stat. Ann. § 246.310(4) (Thomson/West 2006).*

Election board workers unregistered to vote:

- All persons appointed to serve as an election board clerk under this rule must meet the requirements of ORS 246.310(4) with the exception of being an elector of the county.
- Persons appointed shall be at least 16 years of age and a resident of the county.
- No more than one non-electors may be appointed to an election board.
- A non-electors appointed to an election board may serve in any capacity except as chairperson.
- A non-electors between the ages of 16 and 18 years of age must have a valid work permit from the Oregon State Wage and Hour Division. Employers must comply with the requirements of the Oregon Bureau of Labor.

*Or. Admin. R. § 165-018-0030 (Thomson/West 2006).*

## Pennsylvania

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### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a qualified registered elector.

25 Pa. Consol. Stat. Ann. § 2672(a) (Thomson/West 2006).

### Age Requirement

18 years of age on the day of the next election.

25 Pa. Consol. Stat. Ann. § 1301(a) (Thomson/West 2006).

### Residency Place and Term Required for Voter Registration

Commonwealth and election district resident for at least 30 days preceding election.

25 Pa. Consol. Stat. Ann. § 1301(a) (Thomson/West 2006).

### Residency Requirement for Service (State, County or Precinct)

Election district.

25 Pa. Consol. Stat. Ann. § 2672 (a) (Thomson/West 2006).

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Judges and inspectors are elected at municipal elections; clerks and machine operators are appointed by inspectors. The judge and inspectors of election of each election district shall be elected at the municipal election. Each elector may vote for one person as judge and for one person as inspector, and the person receiving the highest number of votes for judge shall be declared elected judge of election, the person receiving the highest number of votes for inspector shall be declared elected majority inspector of election, and the person receiving the second highest number of votes for inspector shall be declared elected minority inspector of election.

25 Pa. Consol. Stat. Ann. § 2671 (Thomson/West 2006).

Note: Legislation pending to spell out more detailed process.

2005 PA H.B. 2830 (NS) (Thomson/West 2006).

Where voting machines are not used, each inspector shall appoint one clerk. Where a voting machine is used the minority inspector shall appoint one clerk. Where more than one voting machine is used, the minority inspector shall appoint one clerk and the county board of elections shall appoint, for each additional machine, one qualified registered elector of the county to serve as machine inspector. The qualifications of clerks and machine inspectors shall be the same as those for election officers.

25 Pa. Consol. Stat. Ann. § 2674 (Thomson/West 2006).

### Term Requirements

The judge and inspectors of each election district are elected and hold office for four years.

25 Pa. Consol. Stat. Ann. § 2671 (Thomson/West 2006).

No term requirements for clerks and machine inspectors.

Commissioner Harry VanSickle (2006).



### Compensation and Hour Requirements

Unless the county board of election establishes a different per diem rate of pay, judges receive between \$75 and \$200 per day, inspectors receive between \$75 and \$195 per day, and clerks and machine operators receive between \$70 and \$195 per day.

*25 Pa. Consol. Stat. Ann. § 2682.2 (a) (Thomson/West 2006).*

\$20 extra for transmitting ballot boxes.

*25 Pa. Consol. Stat. Ann. § 2682.2 (c) (Thomson/West 2006).*

Part-time possible.

*25 Pa. Consol. Stat. Ann. § 2682.2(b) (Thomson/West 2006).*

### Training, Certification and Oath Requirements

In districts in which voting machines are used, all judges, inspectors, and machine operators must be trained in the use of such machines and receive certification. Officials who are trained and receive a certificate are compensated with \$5; officials do not need to attend the instruction if they previously received instruction and were found qualified.

*25 Pa. Consol. Stat. Ann. § 2684 (Thomson/West 2006).*

Oath required.

*25 Pa. Consol. Stat. Ann. § 2676 (Thomson/West 2006).*

Training is not required for election clerks, but it is strongly suggested.

*Commissioner Harry VanSickle (2006).*

### Elected Public Officials Prohibited

No person shall be qualified to serve as an election officer who shall hold, or shall within two months have held, any office, appointment or employment in or under the Government of the United States or of this State or of any city or county or poor district, of any municipal board, commission or trust in any city, save only district justices, notaries public and persons in the militia service of the State.

*25 Pa. Consol. Stat. Ann. § 2672(a); Pa. Const. Art. VII, § 12 (Thomson/West 2006).*

### Candidates Prohibited

Election officers are not eligible for any civil office to be voted for at a primary or election at which he shall serve, except that of an election officer.

*25 Pa. Consol. Stat. Ann. § 2672(a) (Thomson/West 2006).*

### The Effect of Felon Status on Participation

Prohibited if confined in a penal institution for a felony conviction within the last five years.

*25 Pa. Consol. Stat. Ann. § 1301(a) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

No constitutional or statutory disqualification found.

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

Overseers of election. Must be qualified to serve on an election board, but do not have to attend training. Two judicious sober and intelligent electors of the district who belong to different political parties. Five or more registered electors must petition that appointing overseers is a reasonable precaution to secure the purity and fairness of any primary or election in said district.

*25 Pa. Consol. Stat. Ann. § 2685 (Thomson/West 2006).*

**Student Election Assistant Statute**

County board of elections can appoint two students per precinct who must be:

- At least 17 years of age at the time of the election;
- A resident of the county;
- Enrolled in a secondary educational institution with exemplary academic record as determined by the educational institution;
- Approved by the principal/director of the secondary educational institution; and
- Have obtained the consent of their parent or guardian; but
- Students cannot serve as a judge or inspector of elections.

*25 Pa. Consol. Stat. Ann. § 2672(b) (Thomson/West 2006).*

## Puerto Rico

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered and qualified elector.

16 P.R. Laws Ann. § 3221 (Thomson/West 2006).

### Age Requirement

18 years of age.

16 P.R. Laws Ann. § 3053 (Thomson/West 2006).

### Residency Place and Term Required for Voter Registration

Must be domiciled on the island of Puerto Rico and a resident of the United States and of Puerto Rico.

16 P.R. Laws Ann. § 3053 (Thomson/West 2006).

A person who is in Puerto Rico studying does not, by this fact, acquire electoral domicile in Puerto Rico. He could, however, acquire said domicile if he establishes a residence with his family and manifests his intention of remaining in Puerto Rico.

16 P.R. Laws Ann. § 3054 (Thomson/West 2006).

### Residency Requirement for Service (State, County or Precinct)

Municipality in which the polling place is established. Must be in possession of an elector's identification card.

16 P.R. Laws Ann. § 3221 (Thomson/West 2006).

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation generally required. The central directing bodies of the political parties, independent candidates, or organizations, participating in an election may each appoint one inspector and his substitute. A third official may be designated as clerk in each polling place.

16 P.R. Laws Ann. § 3218 (Thomson/West 2006).

The parties that have coalesced shall only be entitled to appoint one inspector, one substitute inspector, and one clerk for each polling place to represent said coalesced party.

16 P.R. Laws Ann. § 3218 (Thomson/West 2006).

The inspector of the principal majority party shall be the chairman of the polling board.

16 P.R. Laws Ann. § 3223 (Thomson/West 2006).

The central directing bodies of the political parties, independent candidates or organizations participating in an election may delegate their faculties to appoint polling officials to one or more municipal directing bodies.

16 P.R. Laws Ann. § 3219 (Thomson/West 2006).

**Term Requirements**

No information available.

**Compensation and Hour Requirements**

Inspectors shall be at their respective polling places by 7:00 a.m.

*16 P.R. Laws Ann. § 3227 (Thomson/West 2006).*

After the canvass is completed, the poll board shall return all the electoral material of such polling place to the electoral unit board. The poll board may not abandon their work without having concluded the work and canvassing procedures established in this subtitle, uninterruptedly.

*16 P.R. Laws Ann. § 3286 (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

Local electoral commissions must summon all the official and substitute polling place inspectors who are to serve at the election in their precinct, at least one day before election day, and show them samples of the ballots that are to be voted at their respective polling places, as well as samples of the tally sheets that are to be used in canvassing the votes. An explanation should also be given as to the use of the various forms or samples and the materials for election, and the provisions of this subtitle which will govern their actions.

*16 P.R. Laws Ann. § 3224 (Thomson/West 2006).*

Oath required.

*16 P.R. Laws Ann. § 3221 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

Secretary of the Department of Justice, the Secretary of the Department of Education, the Secretary of the Department of the Treasury and the Police Superintendent are hereby prohibited from acting as a polling official in general elections, primaries, special elections or status plebiscites.

*16 P.R. Laws Ann. § 524(7) (Thomson/West 2006).*

**Candidates Prohibited**

No candidate for any elected public office in the election may work as a poll official.

*16 P.R. Laws Ann. § 3221 (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

No constitutional or statutory prohibition found.

**The Effect of Mental Incapacitation on Participation**

Prohibited if judicially determined to be mentally incompetent.

*16 P.R. Laws Ann. § 3073; 16 P.R. Laws Ann. § 3076 (Thomson/West 2006).*

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Puerto Rico (continued)

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

No information available.

## Rhode Island

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### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be qualified elector (registered voter).

*R.I. Gen. Laws §§ 17-11-3; 17-11-4; 17-11-5; 17-11-6; § 17-11-7; 17-11-7.2; § 17-11-12; § 17-15-14(a) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*R.I. Const. Art. 2, § 1; R.I. Gen. Laws § 17-1-3 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Town or city and voting district for at least 30 days prior to election.

*R.I. Const. Art. 2, § 1; R.I. Gen. Laws § 17-1-3 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

City, town, senatorial or representative district, or voting district in which they are appointed to serve.

*R.I. Gen. Laws § 17-11-12 (Thomson/West 2006).*

Voting district residency is not required if the election official is filling a vacancy. In the case where a vacancy needs to be filled, election officials shall come from a pool with the same training and duties as regular election officials, but shall not be restricted to being electors of the voting district to which they may be assigned, but must be electors of the State.

*R.I. Gen. Laws § 17-11-7.1 (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation considered. Moderators and clerks for the towns of Smithfield, Narragansett, Barrington, Bristol, Lincoln, Middletown, Portsmouth, Warren, Westerly, West Warwick, and Johnston and any other city or town where the moderators and clerks are not elected, shall be appointed by the local board at least 35 days prior to every primary or election. The moderator and clerk of a polling place shall not be affiliated with the same political party.

*R.I. Gen. Laws §§ 17-11-3; 17-11-7.2; § 17-11-7 § 17-11-6 (Thomson/West 2006).*

Except in the towns of Barrington, Middletown, and Warren, moderators and clerks of voting districts in towns not divided into senatorial or representative districts shall be elected at the election of town officers.

*R.I. Gen. Laws § 17-11-4 (Thomson/West 2006).*

Voting district moderators and clerks, and moderators and clerks of senatorial and representative districts in any city other than the cities of Providence, Pawtucket, Central Falls, Warwick, Cranston, Woonsocket, and Newport, and in any town divided into senatorial or representative districts, shall be elected at the election of city or town officers.

*R.I. Gen. Laws § 17-11-5 (Thomson/West 2006).*

For cities, at least 35 days before any election, the local board in each city shall appoint, using party lists submitted at least 45 days before election, a warden and clerk from different parties.

*R.I. Gen. Laws § 17-11-11 (Thomson/West 2006).*

For primaries involving only one major political party, warden and clerks are selected by local party committee.

*R.I. Gen. Laws § 17-15-13(a) (2) (Thomson/West 2006).*

The local board of each city and town, at least 35 days before each election, shall appoint two pairs of supervisors from different parties. Supervisors shall, if possible, be appointed from a list of eligible voters in the same manner as provided for the appointment of wardens and clerks in cities.

*R.I. Gen. Laws § 17-11-13(a) (Thomson/West 2006).*

For primaries, 35 days before election the local board appoints four supervisors from party lists submitted at least 45 days before primary. If primary is for both major parties, one supervisor is appointed for each party in the manner provided in § 17-11-11, and two supervisors (one from each party) are appointed from lists submitted by a majority of the party candidates, other than those endorsed by the party committee. If the primary only involves one major party, two supervisors shall be appointed from a list submitted by the involved party committee, and two supervisors shall be appointed from lists submitted by a majority of the party candidates, other than those endorsed by the party committee.

*R.I. Gen. Laws § 17-15-13(b) (Thomson/West 2006).*

#### **Term Requirements**

Appointments and elective positions appear to be for each election.

*R.I. Gen. Laws § 17-11-8; R.I. Gen. Laws § 17-11-12 (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

Cities and towns are authorized to compensate moderators, clerks, inspectors, supervisors and any other election official at a daily rate in excess of any statutory allowable amount. Any excess shall be the responsibility of the authorizing city or town.

*R.I. Gen. Laws § 17-19-23.2; R.I. Gen. Laws § 17-15-15 (Thomson/West 2006).*

Supervisors of elections are paid at the minimum rate of \$60 per day.

*R.I. Gen. Laws § 17-11-13(d) (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Election officials receive instruction from the local board of elections and are issued a certificate that is valid for one year.

*R.I. Gen. Laws § 17-7-6; R.I. Gen. Laws § 17-19-23.1(a) (Thomson/West 2006).*

Whenever it is practicable, election officials are appointed from lists of certificated persons. Those that attend and complete the training are paid \$25 upon performance of their election day duties.

*R.I. Gen. Laws § 17-19-23.1 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

For primaries, wardens, moderators and supervisors may not be officers or employee of the United States, of this State, or of any city or town of this State, but no person shall be disqualified solely because that person is a notary public or a teacher.

*R.I. Gen. Laws § 17-15-14(c) (Thomson/West 2006).*

**Candidates Prohibited**

No candidate for any office to be filled at any election shall be appointed at the election as an election official, but the provisions of this section shall not apply to moderators and town clerks.

*R.I. Gen. Laws § 17-11-15 (Thomson/West 2006).*

For primaries, wardens, moderators and supervisors are prohibited from seeking nomination or election.

*R.I. Gen. Laws § 17-15-14(d) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

No person who is incarcerated in a correctional facility upon a felony conviction shall be permitted to vote until such a person is discharged from the facility. Upon discharge the person's right to vote shall be restored.

*R.I. Const. Art. 2, § 1 (Thomson/West 2006).*

No person can serve as an election official who has been convicted, found guilty, pleaded guilty, or *nolo contendere*, or placed on a deferred or suspended sentence, or on probation, for any crime which involves moral turpitude or which constitutes a violation of any of the election or caucus laws of this or any State.

*R.I. Gen. Laws § 17-11-15; R.I. Gen. Laws § 17-15-14 (Thomson/West 2006).*

Note: Moderators and town clerks may be exempt from the disqualification provisions of R.I. Gen. Laws § 17-11-15. The statute reads that "the provisions of this section shall not apply to moderators and town clerks."

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudicated to be *non compos mentis*.

*R.I. Const. Art. 2, § 1 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to read the constitution of the State in the English language, and write their names.

*R.I. Gen. Laws § 17-11-8; R.I. Gen. Laws § 17-11-12; R.I. Gen. Laws § 17-15-14(a) (Thomson/West 2006).*

**Good Reputation Requirement**

No information available.



#### Alternative Positions with Different Requirements

Election inspector. State board may appoint and issue commissions to qualified electors of this State to be election inspectors assigned to some or all election polling places. On the day before any election, the State board may assign an election inspector to one or more polling place as the state board may determine. Must be a qualified elector of the State, and may be required to attend a training session. Compensation for election day work will be fixed by the State board.

*R.I. Gen. Laws § 17-19-16 (Thomson/West 2006).*

Translator. If a board determines that the ballots at a polling place be printed in a foreign language, the board must provide at least one person fluent in the foreign language who assists voters during all hours of poll operations.

*R.I. Gen. Laws § 17-19-22.1 (Thomson/West 2006).*

#### Student Election Assistant Statute

Can serve as a trainee election official in the municipality in which the student resides, if:

- Enrolled in high school in Rhode Island;
- 16 years of age;
- Submit to the secretary of state a certificate by parent or guardian authorizing the appointment and allowing the student to be excused from school; and
- Submit to the secretary of state a certificate, signed by the principal, certifying that the student is performing at an academic level deemed acceptable.
- Student trainees can be compensated at the same rate as election officials generally.
- Such student cannot work at a polling place in lieu of a regularly trained election official.

*R.I. Gen. Laws § 17-19-23.3 (Thomson/West 2006).*

## South Carolina

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### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered elector.

*S.C. Code Ann. § 7-13-110 (Thomson/West 2006).*

### Age Requirement

18 years of age.

*S.C. Const. Art. II, § 4; S.C. Code Ann. § 7-5-610 (Thomson/West 2006).*

16 or 17 years of age to qualify as poll manager's assistant.

*S.C. Code Ann. § 7-13-110 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Must be a resident of South Carolina, a resident in the county and in the polling precinct in which the elector offers to vote.

*S.C. Code Ann. § 7-5-120 (Thomson/West 2006).*

"Municipal electors...must have resided in the municipality in which he offers to vote for thirty days next preceding the election."

*S.C. Const. Art. II, § 5 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

County in which they are appointed to work or resident of an adjoining county.

*S.C. Code Ann. § 7-13-110 (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation not required, though for primaries must appoint one manager for every party which is holding a primary and has submitted names. The commissioners of election must appoint at least three managers of election for each polling place in the county (more may be appointed depending on election and number of registered voters). The authority must also appoint a clerk from the managers appointed. Forty-five days prior to any primary each political party holding a primary may submit to the commission a list of prospective managers for each precinct. The commission must appoint at least one manager for each precinct from the list of names submitted by each political party holding a primary. However, the county election commission may refuse to appoint any prospective manager for good cause.

*S.C. Code Ann. § 7-13-72 (Thomson/West 2006).*

### Term Requirements

None.

**Compensation and Hour Requirements**

Managers and clerks of general elections shall receive a per diem as is provided in the annual State general appropriations act.

*S.C. Code Ann. § 7-23-10 (Thomson/West 2006).*

Poll managers in South Carolina are paid \$60 per day by the State for a total of \$120 (\$60 for election day plus \$60 for training). Clerks receive an additional day's pay at \$60 per day for a total of \$180. Poll managers are paid to attend a training session. Some counties supplement this amount. Check with the county election commission in the county.

*[http://www.scvotes.org/south\\_carolina\\_poll\\_manager\\_information\\_page](http://www.scvotes.org/south_carolina_poll_manager_information_page) (2006).*

**Training, Certification and Oath Requirements**

Must attend a training program and receive certification of having completed the training program.

*S.C. Code Ann. § 7-13-72 (Thomson/West 2006).*

Oath required.

*S.C. Code Ann. § 7-13-72 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

May not serve as poll managers due to prohibition of dual office holding in South Carolina constitution.

**Candidates Prohibited**

No candidate or the spouse, parents, children, brothers or sisters of a candidate for public office may work as a manager or clerk of election at a polling place where such candidate's name appears on the ballot.

*S.C. Code Ann. § 7-13-120 (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if serving a term of imprisonment resulting from a conviction of a crime.

*S.C. Code Ann. § 7-5-120 (Thomson/West 2006).*

Prohibited if convicted of a felony or offenses against the election laws, unless the disqualification has been removed by service of the sentence, including probation and parole time unless sooner pardoned.

*S.C. Code Ann. § 7-5-120 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudicated mentally incompetent by a court of competent jurisdiction.

*S.C. Code Ann. § 7-5-120 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

None.

**Good Reputation Requirement**

None.

**Alternative Positions with Different Requirements**

See Student Election Assistant.

**Student Election Assistant Statute**

Poll manager's assistant:

- At least 16 years of age;
- Completed the training required by S.C. Code Ann. § 7-13-72;
- Any 16 or 17 year-old appointed may not serve as chairman of the managers or clerk in the polling place to which he or she is appointed;
- Must serve under supervision of the chairman of the managers; and
- One assistant may be appointed for every two regular poll managers appointed to work in any precinct.

*S.C. Code Ann. § 7-13-110 (Thomson/West 2006).*

## South Dakota

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*S.D. Codified Laws § 12-15-2 (Thomson/West 2006).*

### Age Requirement

18 years of age.

*S.D. Codified Laws § 12-3-1; S.D. Const., Art. VII, § 2 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Must be a resident of South Dakota.

*S.D. Codified Laws § 12-3-1 (Thomson/West 2006).*

No durational residency requirement, but 15-day registration requirement.

*S.D. Codified Laws § 12-4-5 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct then county. Any precinct superintendent or precinct deputy shall be a registered voter and a resident of the precinct for which the person is appointed. If a sufficient number of members of the precinct election board are unable to be appointed, a vacancy may be filled by appointing any registered voter of the county in which the precinct is located provided the voter meets the party distribution requirements.

*S.D. Codified Laws § 12-15-2 (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation required. If three or more parties have candidates on the official ballot, one precinct deputy shall be appointed from each party whose candidate for governor in the last gubernatorial election had at least 15 percent of the votes as shown by the precinct returns. If two parties have candidates on such ballots, the members of the precinct election board shall be selected from each party, and the party receiving a majority of the votes cast for governor in the election precinct at the last preceding gubernatorial election shall have a majority of the members of the precinct election board. The precinct superintendent shall belong to the party whose candidate received the most votes for governor in the last gubernatorial election in that precinct.

*S.D. Codified Laws § 12-15-3 (Thomson/West 2006).*

The county auditor shall, not less than 20 days before any election, appoint a precinct superintendent and two precinct deputies who shall constitute the precinct election board. Two or four additional precinct deputies may be appointed. The county auditor shall make the appointments from lists of names submitted by the county central committee of each party. If the county auditor fails to receive the list at least 45 days prior to an election, the county auditor shall make the appointments.

*S.D. Codified Laws § 12-15-1 (Thomson/West 2006).*

**Term Requirements**

No information available.

**Compensation and Hour Requirements**

County determines fee.

*S.D. Codified Laws § 12-15-11 (Thomson/West 2006).*

At all times after the polls are opened the precinct election officials shall remain at the polling place with the ballot boxes until the polls are closed and they have completed their duties.

*S.D. Codified Laws § 12-16-1.4 (Thomson/West 2006).*

In precincts where counting boards have been appointed, the officials shall remain until after the election supplies are turned over to the counting board and the certificate and receipt have been signed.

*S.D. Codified Laws § 12-18-1.5 (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

Prior to an election, each county auditor, assisted by the State's attorney, shall call together the superintendents from each of the precincts in the county, and any precinct deputy as the county auditor may deem appropriate, and instruct them on the election laws and the duties of the precinct superintendent and precinct deputies. A fixed fee of not less than \$5 will be paid to those who were called and attended.

*S.D. Codified Laws § 12-15-7 (Thomson/West 2006).*

Oath required.

*S.D. Codified Laws § 12-15-9 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No person appointed as a precinct superintendent or precinct deputy may serve as a poll watcher at that election.

*S.D. Codified Laws § 12-15-2.1 (Thomson/West 2006).*

**Candidates Prohibited**

No candidates or persons related by blood or marriage within the second degree to a candidate who is on the ballot in that precinct.

*S.D. Codified Laws § 12-15-14.3 (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if incarcerated felon. Upon discharge the full rights of citizenship are restored.

*S.D. Codified Laws § 23A-27-35; S.D. Codified Laws § 24-5-2; S.D. Const. Art. VII, § 2 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if declared mentally incompetent.  
*S.D. Codified Laws § 12-4-18 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

Student excused from attendance for the purpose of working as a precinct election official if the student is at least 18 years old.  
*S.D. Codified Laws § 13-27-6.1 (Thomson/West 2006).*

## Tennessee

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### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*Tenn. Code Ann. § 2-4-103(a) (Thomson/West 2006).*

### Age Requirement

17 years of age to serve.

*Tenn. Code Ann. § 2-4-103(e) (Thomson/West 2006).*

18 years of age on or before the date of the next election to be registered voter.

*Tenn. Code Ann. § 2-2-104 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Must be a resident of Tennessee. No durational residency requirement. Thirty-day registration requirement.

*Tenn. Code Ann. § 2-2-102; Tenn. Code Ann. § 2-2-103 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

State house legislative district or county, depending on poll worker roll and government organization.

Officers of elections, judges, machine operators, precinct registrars, and assistant precinct registrars shall be registered voters and may serve at any polling place within the state house legislative district of which they are an inhabitant.

*Tenn. Code Ann. § 2-4-103(a) (Thomson/West 2006).*

Note: Pending S.B. 2132 would change 2-4-103(a) so the officer would have to serve in the county of such district in which the officer is an inhabitant.

Inspectors shall be registered voters at a polling place in the county and shall be inhabitants of the county.

*Tenn. Code Ann. § 2-4-103(b) (Thomson/West 2006).*

Counties <600,000 population, the county election commission may appoint persons as precinct registrars who shall be registered voters and inhabitants of the county.

*Tenn. Code Ann. § 2-4-103(c) (Thomson/West 2006).*

Counties with metropolitan government: precinct registrars shall be registered voters at a polling place within each legislative district and inspectors shall be registered voters at a polling place in the legislative district.

*Tenn. Code Ann. § 2-4-103(d) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliated preferred. Thirty days before the appointment time, each county primary board shall, and each county executive committee may, nominate persons for appointment as election officials. The county election commission shall appoint such nominees who are qualified, but where there are inadequate numbers of nominees, the county election commission may itself nominate qualified people.

*Tenn. Code Ann. § 2-4-106 (Thomson/West 2006).*



If a statewide political party does not have a member on the county election commission, and there was not an election official appointed from its nominees for each polling place, on request of the party's county primary board, the commission shall appoint from that party's nominees one inspector for every 30,000 people in the county according to the current federal census, but no fewer than two inspectors and no more than ten.

*Tenn. Code Ann. § 2-4-102(b) (2) (Thomson/West 2006).*

Between 45 and 10 days before the election, the county election commission shall appoint at least three judges, one officer of elections, and as many inspectors as necessary to each polling place.

*Tenn. Code Ann. § 2-4-102(a) & (b) (1) (Thomson/West 2006).*

No more than two of the judges at a polling place may be of the same political party, if persons from different political parties are willing to serve. For primaries at least one judge shall be appointed from each party having a primary at the polling place for which the judges are being appointed.

*Tenn. Code Ann. § 2-4-104 (Thomson/West 2006).*

As nearly as practicable, no more than one half of the number of election officials at a polling place and no more than one half of the whole number of inspectors may be members of the same political party. If one political party elects to hold a primary election then only members of that political party who call the primary shall be appointed to serve at the polls as election officials.

*Tenn. Code Ann. § 2-4-105 (Thomson/West 2006).*

#### **Term Requirements**

No information available.

#### **Compensation and Hour Requirements**

Officers of elections, judges, machine operators, and inspectors shall be paid for their services on election day a minimum of \$15.

*Tenn. Code Ann. § 2-4-109 (Thomson/West 2006).*

Amount can be increased by county legislative body.

*Beth Henry Robertson, Assistant Coordinator Elections Division, Tennessee Secretary of State (2006).*

The election officials of each polling place shall meet at the polling place at least one-half hour before the time for opening the polls for the election.

*Tenn. Code Ann. § 2-7-105(a) (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

At least 30 days before each election, an instructional meeting shall be held under the direction of the county election commission. Elections officials shall attend the meeting and shall receive, for the time spent in receiving such instructions and qualifying to serve at an election by taking the oath, the sum of ten dollars which is to be paid only if they serve in the election. The compensation may be increased by resolution of the county legislative body. The county election commission may limit attendance to only those persons who are inexperienced or otherwise need such training.

*Tenn. Code Ann. § 2-4-108 (Thomson/West 2006).*

No inspector may serve on election day who has not received the instruction provided under § 2-4-108.  
*Tenn. Code Ann. § 2-4-102(b) (4) (Thomson/West 2006).*

**Oath required.**

*Tenn. Code Ann. § 2-1-111 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

Neither an elected official nor an employee of a State, county, municipal or Federal governmental body or agency or of an elected official may serve as a member of a county election commission or as a member of a county primary board or as an election official.

*Tenn. Code Ann. § 2-1-112(a) (Thomson/West 2006).*

**Candidates Prohibited**

No candidate in an election may act in connection with that election as a member of any board or commission established under this title or as an election official.

*Tenn. Code Ann. § 2-1-112(a) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Anyone convicted of a felony, without having had voting rights restored, is prohibited during period of incarceration, probation, and parole.

*Beth Henry Robertson, Assistant Coordinator Elections Division, Tennessee Secretary of State (2006).*

Anyone convicted of infamous crimes by any State or Federal court after July 1, 1986, but before July 1, 1996, is eligible to have full rights of citizenship restored through a court of competent jurisdiction upon: receiving a pardon, except where such pardon contains special conditions pertaining to the right to suffrage; service or expiration of the maximum sentence imposed for any such infamous crime; or being granted final release from incarceration or supervision by the board of probation and parole, or county correction authority. A person rendered infamous after July 1, 1986, by virtue of being convicted of one of the following crimes shall never be eligible to register and vote in this state: first degree murder, aggravated rape, and treason or voter fraud. May also be prohibited if given a pardon with conditions on voting.

*Tenn. Code Ann. § 40-29-105(c)(2) (b); Tenn. Code Ann. § 40-29-105(b)(2) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

A person may be refused appointment if: incompetent to hold elections, failed to serve as directed in previous elections, or is unfit to serve in the election.

*Tenn. Code Ann. § 2-4-106(d) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

A person may be refused appointment if: incompetent to hold elections, failed to serve as directed in previous elections, or is unfit to serve in the election.

*Tenn. Code Ann. § 2-4-106(d) (Thomson/West 2006).*

**Good Reputation Requirement**

A person may be refused appointment if: incompetent to hold elections, failed to serve as directed in previous elections, or is unfit to serve in the election.

*Tenn. Code Ann. § 2-4-106(d) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

- 17 years of age.
- Meets all other requirements to serve.
- Nothing in this section shall prohibit a high school student appointed as a poll official from receiving compensation in addition to having an excused absence.

*Tenn. Code Ann. § 2-4-103(e) (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a qualified voter.

*Tex. Elec. Code § 32.051(f) (a) & (c) (Thomson/West 2006).***Age Requirement**

18 years of age.

*Tex. Elec. Code § 11.002(1) (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

State resident for 30 days.

*Tex. Elec. Code § 11.002(5) (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)**

Precinct if election judge, or county if precinct resident cannot be found.

*Tex. Elec. Code § 32.051(a), (b), (c) (Thomson/West 2006).*

County if election clerk, or part of county or political subdivision if election is for only a part of the county or a political subdivision.

*Tex. Elec. Code § 32.051(c) (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation generally required. County elections: The presiding judge and alternate presiding judge must be affiliated or aligned with different political parties.

*Tex. Elec. Code § 32.002(c) (Thomson/West 2006).*

The commissioners' court will make appointments from lists submitted, before July of each year (may supplement until the 20th day before a general election or the 15th day before a special election), by the political parties whose candidate for governor received the highest or second highest number of votes in the county in the most recent gubernatorial general election. The presiding election judge will be from the party with the highest votes, and an alternate presiding judge from the party with the second highest votes.

*Tex. Elec. Code § 32.001(a); Tex. Elec. Code § 32.002(c), (d) (Thomson/West 2006).*

The presiding judge appoints at least two clerks for each precinct in each election, at least one from each list supplied by the county chairs of the two parties with the highest gubernatorial votes. Appointments are made not later than the fifth day after the date the judge receives the list and shall deliver written notification of the appointment to the appropriate county chair.

*Tex. Elec. Code § 32.033(b); 32.034(b); Tex. Elec. Code § 32.034(d) (Thomson/West 2006).*

<sup>3</sup> Eligibility requirements or grounds of ineligibility in addition to those prescribed by subchapter 32 of the election code may be prescribed by a home-rule city charter for election officers serving in elections ordered by an authority of the city.

*Tex. Elec. Code § 32.056 (Thomson/West 2006).*

In an election conducted by the regularly appointed presiding judge, the presiding judge shall appoint the alternate presiding judge as one of the clerks.

*Tex. Elec. Code § 32.032 (Thomson/West 2006).*

The clerks for general and special State and county elections are selected from different political parties if possible.

*Tex. Elec. Code § 32.034(a) (Thomson/West 2006).*

If only one additional clerk is to be appointed for an election in which the alternate presiding judge will serve as a clerk, the clerk shall be appointed from the list of a political party with which neither the presiding judge nor the alternate judge is affiliated or aligned, if such a list is submitted. If two such lists are submitted, the presiding judge shall decide from which list the appointment will be made. If such a list is not submitted, the presiding judge is not required to make an appointment from any list.

*Tex. Elec. Code § 32.034(c) (Thomson/West 2006).*

If a presiding judge has not been appointed at the time the county chair of a political party is required to submit a list of names for the appointment of a clerk, the list of names shall be submitted to the county chair of the political party whose candidate for governor received the most votes in the precinct in the most recent gubernatorial election and to the commissioners court. The county chair, or the commissioners' court in a county without a county chair, shall appoint clerks from the list in the same manner provided for a presiding judge to appoint clerks.

*Tex. Elec. Code § 32.034(e) (Thomson/West 2006).*

Political subdivisions other than a county: The governing body appoints judges and determines their term of service, which may not exceed two years.

*Tex. Elec. Code § 32.005 (Thomson/West 2006).*

Primaries: The county chair of a political party holding a primary election appoints the judges for each precinct, with the approval of the county executive committee.

*Tex. Elec. Code § 32.006(a) (Thomson/West 2006).*

### Term Requirements

Judges serve for a term of one year beginning on August 1st following the appointment, except that the commissioners' court by order recorded in its minutes may provide for a term of two years.

*Tex. Elec. Code § 32.002(b) (Thomson/West 2006).*

Appointment of an election clerk is for a single election only.

*Tex. Elec. Code § 32.031(b) (Thomson/West 2006).*

### Compensation and Hour Requirements

Part time possible for clerks. The presiding judge shall designate the working hours of election clerks serving.

*Tex. Elec. Code § 32.072(a) (Thomson/West 2006).*

Clerks may be assigned to work for different lengths of time and to begin work at different hours.

*Tex. Elec. Code § 32.072(b) (Thomson/West 2006).*

Election judge or clerk is entitled to compensation for services rendered at a precinct polling place at an hourly rate, which amount must be at least the federal minimum hourly wage.

*Tex. Elec. Code § 32.091(a) (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Secretary of State adopts standards of training in election law and procedure for presiding or alternate election judges. Standards may include required attendance at appropriate training programs or the passage of an examination at the end of a training program.

*Tex. Elec. Code § 32.111(a), (b) (Thomson/West 2006).*

Note: Secretary of State training guidelines are available at: <http://www.sos.state.tx.us/elections/laws/ejccur.shtml> (2006).

Training videos and election worker handbooks are also available through the Secretary of State.

#### **Elected Public Officials Prohibited**

A person who holds an elective public office is ineligible to serve as an election judge or clerk in an election.

*Tex. Elec. Code § 32.052(a) (Thomson/West 2006).*

A deputy or assistant serving under a public officer does not hold a public office.

*Tex. Elec. Code § 32.052(b) (Thomson/West 2006).*

#### **Candidates Prohibited**

No candidates for public office may serve.

*Tex. Elec. Code § 32.053(a) (Thomson/West 2006).*

Prohibited from serving if employed by or related within the second degree by consanguinity or affinity to an opposed candidate for a public office or the party office of county chair in the election.

*Tex. Elec. Code § 32.054(a) (Thomson/West 2006).*

Prohibited from serving if campaign treasurer/campaign manager of a candidate in that election.

*Tex. Elec. Code §§ 32.055(a), 32.0551(a) (Thomson/West 2006).*

#### **The Effect of Felon Status on Participation**

Prohibited if convicted of a felony and sentence is not fully discharged, including any term of incarceration, parole, or supervision or completion of a period of probation ordered by any court; unless pardoned or otherwise released from the resulting disability.

*Tex. Elec. Code § 11.002(4) (Thomson/West 2006).*

A person is ineligible to serve as an election judge or clerk in an election if the person has been finally convicted of an offense in connection with conduct directly attributable to an election.

*Tex. Elec. Code § 32.0552 (Thomson/West 2006).*

Prohibited if convicted of any felony, subject to such exceptions as the legislature may make. The legislature shall enact laws to exclude from the right of suffrage persons who have been convicted of bribery, perjury, forgery, or other high crimes.

*Tex. Const. Art. VI, § 1 (3) (Thomson/West 2006).*

#### **The Effect of Mental Incapacitation on Participation**

Prohibited if determined mentally incompetent by a final judgment of a court.

*Tex. Elec. Code § 11.002(3) (Thomson/West 2006).*

Prohibited if determined mentally incompetent by a court, subject to such exceptions as the legislature may make.

*Tex. Const. Art. VI, § 1 (2) (Thomson/West 2006).*

#### **English Fluency and Literacy Requirement**

No information available.

#### **Good Reputation Requirement**

No information available.

#### **Alternative Positions with Different Requirements**

Translators. The presiding judge of an election precinct subject to Section 272.002 shall make reasonable efforts to appoint a sufficient number of election clerks who are fluent in both English and Spanish to serve the needs of the Spanish-speaking voters of the precinct.

*Tex. Elec. Code § 272.009(a) (Thomson/West 2006).*

If the number of election clerks appointed under Subsection (a) is insufficient to serve the needs of the Spanish-speaking voters in the election, the authority appointing election judges for the election shall appoint at least one clerk who is fluent in both English and Spanish to serve at a central location to provide assistance for Spanish-speaking voters.

*Tex. Elec. Code § 272.009(b) (Thomson/West 2006).*

#### **Student Election Assistant Statute**

No information available.

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*Utah Code Ann. § 20A-5-601(1) (b) (i); Utah Code Ann. § 20A-5-602(1) (Thomson/West 2006).*

**Age Requirement**

18 years of age.

*Utah Code Ann. § 20A-2-101(1) (c) (Thomson/West 2006).*

There are currently some opportunities for 17 year olds who will be 18 years of age by the next regular general election.

*Utah Code Ann. § 20A-5-601 (Thomson/West 2006).*

**Residency Place and Term Required for Voter Registration**

State for at least the 30 days immediately before the election.

*Utah Code Ann. § 20A-2-101(1) (b) (Thomson/West 2006).*

**Residency Requirement for Service (State, County or Precinct)**

County for general and primary elections.

*Utah Code Ann. § 20A-5-601(1) (b) (i) (Thomson/West 2006).*

Jurisdiction for local elections.

*Utah Code Ann. § 20A-5-602(1) (Thomson/West 2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker****Affiliation Generally Required for Judges in Regular General Elections and Primary Elections.**

By April 1st of each even-numbered year each registered political party files list of eligible candidates, and each county legislative body appoints election judges from the lists submitted.

*Utah Code Ann. § 20A-5-601(1) & (2) (Thomson/West 2006).*

For each set of three judges to be appointed for each voting precinct, the county legislative body shall ensure that: two judges are appointed from the political party that cast the highest number of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding votes for unopposed candidates, in the voting precinct at the last regular general election before the appointment of the election judges; and one judge is appointed from the political party that cast the second highest number of votes.

*Utah Code Ann. § 20A-5-601(a) (Thomson/West 2006).*

For each set of two judges to be appointed for each voting precinct, the county legislative body shall ensure that: one judge is appointed from the political party that cast the highest number of votes for governor, lieutenant governor, attorney general, State auditor, and State treasurer, excluding votes for unopposed candidates, in the voting precinct at the last regular general election before the appointment



of the election judges; and one judge is appointed from the political party that cast the second highest number of votes.

*Utah Code Ann. § 20A-5-601(b) (Thomson/West 2006).*

Where a party fails to submit a list by the deadline or the list is incomplete, the county legislative body shall provide for the appointment of any qualified county voter as an election judge.

*Utah Code Ann. § 20A-5-601(8) (Thomson/West 2006).*

#### **Affiliation Not Required for Judges in Local Elections.**

At least 15 days before the date scheduled for any local election, the municipal legislative body or special district board shall appoint or provide for the appointment of judges.

*Utah Code Ann. § 20A-5-602(1) (Thomson/West 2006).*

If poll worker fails to show up at the poll then the poll workers present may appoint a qualified elector, from the same political party as the absentee, to fill the role.

*Utah Code Ann. § 20A-5-605(3) (a) (Thomson/West 2006).*

#### **Term Requirements**

Possible two year terms for general and primary elections.

*Utah Code Ann. § 20A-5-601(1) (a) (Thomson/West 2006).*

All election judges are used for the term of the election. They may or may not be used in both elections during an election cycle.

*Stephen MacDonald, Deputy Director of Elections, Utah (2006).*

#### **Compensation and Hour Requirements**

For general and primary elections the county legislative body shall establish compensation for election judges.

*Utah Code Ann. § 20A-5-601(13) (Thomson/West 2006).*

For local elections the municipal legislative body and special district board shall compensate election judges for their services, but may not compensate their election judges at a rate higher than that paid by the county to its election judges.

*Utah Code Ann. § 20A-5-602(4) (Thomson/West 2006).*

Poll workers are reimbursed for mileage traveled.

*Utah Code Ann. § 20A-4-201(3) (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

According to the *Utah State Plan on Election Reform Amended on November 8, 2004*, the State, in cooperation with the county clerks, will design a uniform and standardized training for all judges by the 2006 election. It is unknown whether that occurred.

*www.elections.utah.gov/stateplan.amended.11.8.04.pdf; Utah Admin. Code R623-3-1 incorporates policies and procedures in Utah State Plan by reference.*

**Oath required.**

*Utah Const. Art. 4, §10 (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No information for general and primary elections.

**Candidates Prohibited**

In local elections, no candidate's parent, sibling, spouse, child, or in-law may serve in the voting precinct where the candidate resides.

*Utah Code Ann. § 20A-5-602(2) (Thomson/West 2006).*

Candidates are not prohibited under the code from being poll workers in general or primary elections, but the practice is to prohibit candidates from serving as election judges.

*Stephen MacDonald, Deputy Director of Elections, Utah (2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony in any State or Federal court, until rights are restored by being sentenced to probation by the sentencing judge, granted parole by the board of pardons, or successfully completing the term of incarceration.

*Utah Code Ann. § 20A-2-101.5 (Thomson/West 2006).*

Prohibited if convicted of a felony or of treason or a crime against the elective franchise until right is restored as provided by statute.

*Utah Const. Art. 4, § 6 (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudicated mentally incompetent until right is restored as provided by statute.

*Utah Const. Art. 4, § 6; Utah Code Ann. §62A-15-641(1) (c) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

For general and primary elections must be competent.

*Utah Code Ann. § 20A-5-601(1) (b) (i) (Thomson/West 2006).*

Competence is required for local elections, though the requirement is not codified.

*Stephen MacDonald, Deputy Director of Elections, Utah (2006).*

**Good Reputation Requirement**

For general and primary elections must be trustworthy.

*Utah Code Ann. § 20A-5-601(1) (b) (i) (Thomson/West 2006).*

Trustworthiness is required for local elections, though the requirement is not codified.

*Stephen MacDonald, Deputy Director of Elections, Utah (2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

There are currently some opportunities for 17-year-olds who will be 18 years old by the next regular general election.

*Utah Code Ann. § 20A-5-601 (Thomson/West 2006).*

**Note:** According to the *Utah State Plan on Election Reform*, amended on November 8, 2004, legislation will be introduced to allow 17-year-olds to work at polling places.

[www.elections.utah.gov/stateplan/amended.11.8.04.pdf](http://www.elections.utah.gov/stateplan/amended.11.8.04.pdf).

Utah Admin. Code R623-3-1 incorporates policies and procedures in Utah State Plan by reference.

**Pending Legislation Alert for 2006:**

Many of the requirements for election judges will change if certain bills pass the legislature. The main bill is House Bill 348 or House Bill 14.

*Stephen MacDonald, Deputy Director of Elections, Utah (2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter, unless approved 16 or 17 year old assistant.

*Vt. Stat. Ann. tit. 17, § 2452(a); Vt. Stat. Ann. tit. 17, § 2454(a) (Thomson/West 2006).*

**Age Requirement**

18 years of age.

*Vt. Stat. Ann. tit. 17, § 2121(4) (Thomson/West 2006).*

16 or 17 years of age as assistant elections officers.

*Vt. Stat. Ann. tit. 17, § 2454(a) (Thomson/West 2006).*

**Residency Place and Term Required for Voter Registration**

Must reside in municipality, and if temporarily leave have intent to return indefinitely.

*Vt. Stat. Ann. tit. 17, § 2121(2) (Thomson/West 2006).*

**Residency Requirement for Service (State, County or Precinct)**

Must reside in voting district, except in larger municipalities where districts can be combined for improved administration.

*Vt. Stat. Ann. tit. 17, § 2452(a); Vt. Stat. Ann. tit. 17, § 2454(a) (Thomson/West 2006).*

The only exception to residency is that an assistant town clerk may serve as an assistant elections officer, regardless of his or her residence.

*Vt. Stat. Ann. tit. 17, § 2454(a) (Thomson/West 2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation considered for assistant election officers. The town clerk shall be the presiding officer unless the town by vote at an annual meeting or by charter shall provide otherwise. If the regular presiding officer is unavailable or unable to preside at any given election, then the board of civil authority shall promptly appoint a voter of the town to serve as the presiding officer at that election. If more than one polling place is used, the board shall appoint a presiding officer for each additional polling place.

*Vt. Stat. Ann. tit. 17, § 2452 (Thomson/West 2006).*

The board of civil authority appoints the assistant election officers prior to the election. As far as possible, the board shall attempt to appoint an equal number of persons from each major political party.

*Vt. Stat. Ann. tit. 17, § 2454 (Thomson/West 2006).*

### Term Requirements

There are no set terms for presiding officers. Generally the town clerk serves as long as he or she is town clerk. Town clerks can be elected to one year or three year terms. No more than two years for presiding officers for additional polling places.

*Vt. Stat. Ann. tit. 17, § 2452(b) (Thomson/West 2006).*

Assistant election officers appear to serve for election to which appointed.

*Vt. Stat. Ann. tit. 17, § 2454(A) (Thomson/West 2006).*

### Compensation and Hour Requirements

The presiding election officer shall notify each election official of the hours when he shall be present to work at the polls.

*Vt. Stat. Ann. tit. 17, § 2455 (Thomson/West 2006).*

Compensation is set by local legislative body and varies from volunteers, to minimum wage, to higher hourly wages, to stipends for a shift or stipends for all day.

*Kathy DeWolfe, Director of Elections and Campaign Finance (2006).*

### Training, Certification and Oath Requirements

The Secretary of State shall organize regional workshops for election officials. The regular presiding officer of each town or an assistant designated by the board of civil authority shall attend, at the town's expense, at least one of these election workshops every two years.

*Vt. Stat. Ann. tit. 17, § 2457(a) & (b) (Thomson/West 2006).*

Each assistant election officer shall be sworn prior to entering on the performance of his or her duties.

*Vt. Stat. Ann. tit. 17, § 2454(a) (Thomson/West 2006).*

### Elected Public Officials Prohibited

No information available.

### Candidates Prohibited

No person shall serve as an election official in any election in which his or her name appears on a ballot of the Australian ballot system as a candidate for any office unless he or she is the only candidate for that office, or unless the office for which he or she is a candidate is that of moderator, justice of the peace, town clerk, clerk-treasurer, ward clerk, or inspector of elections. When an Australian ballot is not used, a person shall not serve as an election official during the election to fill any office for which he or she is a nominee.

*Vt. Stat. Ann. tit. 17, § 2456 & § 2538 (Thomson/West 2006).*

### **The Effect of Felon Status on Participation**

Felons, even incarcerated felons, do not lose their right to vote in Vermont. An incarcerated felon must register and vote in the last municipality in which he or she resided in Vermont immediately prior to incarceration (not where facility is located). There is no prohibition against felons being candidates or serving in any local public office in Vermont, so a felon could serve as an election official.

*Vt. Const. Ch. II, § 42 (Thomson/West 2006); Kathy DeWolfe, Director of Elections and Campaign Finance (2006).*

### **The Effect of Mental Incapacitation on Participation**

Prohibited if adjudicated incompetent and not restored to legal capacity.

*Vt. Stat. Ann. Tit. 18 §7705(a) (3) (Thomson/West 2006).*

### **English Fluency and Literacy Requirement**

No requirements.

*Kathy DeWolfe, Director of Elections and Campaign Finance (2006).*

### **Good Reputation Requirement**

Prohibited if not of a quiet and peaceable behavior.

*Vt. Const. Ch. II, § 42 (Thomson/West 2006).*

### **Alternative Positions with Different Requirements**

The local board of civil authority that administers elections along with the presiding officer is made up of all members of the local select board (legislative body), all justices of the peace, and the town clerk. Select board members are elected at March town meeting for either three year terms (or one or two year terms if the municipality has voted to have five Select board members instead of only three). Justices of the peace are elected at the general election and serve two year terms starting the following February.

*Kathy DeWolfe, Director of Elections and Campaign Finance (2006).*

### **Student Election Assistant Statute**

The board of civil authority may appoint residents of a voting district who are 16 or 17 years old to serve as assistant elections officers in their respective polling places.

*Vt. Stat. Ann. tit. 17, § 2454(a) (Thomson/West 2006).*

## United States Virgin Islands

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a qualified, registered elector.

*18 Virgin Islands Code § 152 (a) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*18 Virgin Islands Code § 261 (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Resident of the Virgin Islands and election district for a period of at least 30 days next preceding the date of the election.

*18 Virgin Islands Code § 262 (a) (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

District.

*18 Virgin Islands Code § 152 (a) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation considered. The board of elections in each legislative district shall, not later than 20 days prior to the day on which a primary or election is to be held, appoint election officers. The Chairmen of political parties in each legislative district shall have the right to submit to the board their nominations therefore.

*18 Virgin Islands Code § 151 (a) (Thomson/West 2006).*

If, at any time prior to the day of any primary or election, a vacancy occurs, the board shall fill the vacancy by appointment of another qualified person who is a member of the same political party as that of the appointee whose place he is filling. The chairman of such party in the legislative district shall have the right, prior to such appointment, to submit to the board his nomination therefore.

*18 Virgin Islands Code § 151 (c) (Thomson/West 2006).*

### Term Requirements

No information available.

### Compensation and Hour Requirements

Judges \$150, inspectors \$125, clerks \$100, voting machine monitors \$100.

*18 Virgin Islands Code § 158 (a) (Thomson/West 2006).*

An additional \$20 for each instructional meeting attended.

*18 Virgin Islands Code § 158 (b) (Thomson/West 2006).*

An additional \$10 for each shift worked which shift commences on or after 6:00 p.m.  
*18 Virgin Islands Code § 158 (c) (Thomson/West 2006).*

The election officers shall meet at the polling place to which they were assigned at least one hour before the hour for opening the polls on the day of each primary or election.  
*18 Virgin Islands Code § 558 (c) (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

No information available on training and certification.

**Oath required.**  
*18 Virgin Islands Code § 153; 18 Virgin Islands Code § 154 (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No information available.

#### **Candidates Prohibited**

**No candidates.**  
*18 Virgin Islands Code §152 (b) (Thomson/West 2006).*

#### **The Effect of Felon Status on Participation**

Prohibited for ten year period if twice convicted by a court of competent jurisdiction of a felony or of a crime involving moral turpitude.  
*18 Virgin Islands Code § 263 (a) (Thomson/West 2006).*

Prohibited for one year period after discharge if convicted by a court of competent jurisdiction of a felony or of a crime involving moral turpitude.  
*18 Virgin Islands Code § 263 (b) (Thomson/West 2006).*

#### **The Effect of Mental Incapacitation on Participation**

Prohibited if inmate of a public or private institution for the insane and if under the care of a guardian by reason of any mental incapacity.  
*18 Virgin Islands Code § 263 (c) (Thomson/West 2006).*

#### **English Fluency and Literacy Requirement**

At least one of the election officers and clerks appointed for each polling place shall be fluent in both Spanish and English.  
*18 Virgin Islands Code § 151 (a) (Thomson/West 2006).*



**Good Reputation Requirement**

May not be directly or indirectly interested in any bet or wager on the result of the election.  
*18 Virgin Islands Code § 154 (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

No information available.

## Virginia

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**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a qualified voter.

*Va. Code Ann. § 24.2-115 (Thomson/West 2006).***Age Requirement**

18 years of age.

*Va. Code Ann. § 24.2-101; Va. Const. Art. II, § 1 (Thomson/West 2006).***Residency Place and Term Required for Voter Registration**

Resident of the Commonwealth and of the precinct where vote.

*Va. Code Ann. § 24.2-101; Va. Const. Art. II, § 1 (Thomson/West 2006).***Residency Requirement for Service (State, County or Precinct)**

Precinct then Commonwealth. Insofar as practicable, each officer shall be a qualified voter of the precinct he is appointed to serve, but in any case a qualified voter of the Commonwealth.

*Va. Code Ann. § 24.2-115 (Thomson/West 2006).***Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation generally required. Electoral boards appoint officers of election, if possible from lists of nominations filed by the political parties entitled to appointments. Parties file nominations with the secretary of the electoral board at least ten days before February 1st each year. Appointments shall be made giving representation to each of the two political parties having the highest and next highest number of votes in the Commonwealth for governor at the last preceding gubernatorial election. The representation of the two parties shall be equal at each precinct having an equal number of officers and shall vary by no more than one at each precinct having an odd number of officers. One officer shall be designated as the chief officer of election and one officer as the assistant for each precinct. The officer designated as the assistant for a precinct, whenever practicable, shall not represent the same political party as the chief officer for the precinct. For a primary election involving only one political party, persons representing the political party holding the primary shall serve as the officers of election if possible.

*Va. Code § 24.2-115 (Thomson/West 2006).*

Virginia Attorney General Opinion 06-058, 9/15/06: "It is my opinion that the Constitution of Virginia requires a local electoral board, where it is feasible to do so, to appoint officers of election who represent the two dominant political parties. It further is my opinion that when it is not feasible to appoint representatives of such parties, a board may appoint nonpartisan officers of election."

<http://www.oag.state.va.us/OPINIONS/2006opns/06-058Jensen.pdf> (2006).**Term Requirements**

Serve for a term not to exceed three years or until successors are appointed.

*Va. Code Ann. § 24.2-115 (Thomson/West 2006).*

### Compensation and Hour Requirements

Part time possible. The electoral board may provide that the officers of election for one or more precincts may be assigned to work all or a portion of the time that the precinct is open on election day. However, the chief officer and the assistant chief officer, appointed to represent the two political parties, shall be on duty at all times.

*Va. Code Ann. § 24.2-115.1 (Thomson/West 2006).*

Legislation pending to allow the chief officer and the assistant chief officer to, by joint agreement, excuse an officer of election from the polling place for a brief period for a personal emergency.

*2006 VA H.B. 1092 (NS) (Thomson/West 2006).*

Each election worker is paid at least \$75 for a full day's work.

*Va. Code Ann. § 24.2-116 (Thomson/West 2006).*

Any person who serves as an officer of election as defined in § 24.2-101 shall neither be discharged from employment, nor have any adverse personnel action taken against him, nor shall he be required to use sick leave or vacation time, as a result of his absence from employment due to such service, provided he gave reasonable notice to his employer of such service. No person who serves for four or more hours, including travel time, on his day of service shall be required to start any work shift that begins on or after 5:00 p.m. on the day of his service or begins before 3:00 a.m. on the day following the day of his service. Any employer violating the provisions of this section shall be guilty of a Class III misdemeanor.

*Va. Code Ann. § 24.2-118.1 (Thomson/West 2006).*

### Training, Certification and Oath Requirements

Electoral boards instruct each chief officer and assistant in his duties not less than three nor more than 30 days before each election. Each electoral board may instruct each officer of election in his duties at an appropriate time or times before each November general election.

*Va. Code Ann. § 24.2-115 (Thomson/West 2006).*

Oath required.

*Va. Code Ann. § 24.2-120 (Thomson/West 2006).*

### Elected Public Officials Prohibited

No person, nor the deputy or the employee of any person, who holds any elective office of profit or trust under the government of the United States, the Commonwealth, or any county, city, or town of the Commonwealth, shall be appointed an officer of election.

*Va. Code Ann. § 24.2-119 (Thomson/West 2006).*

### Candidates Prohibited

A candidate may require the removal of an officer of election for the election in which he is a candidate by a request in writing on the grounds that the officer is a spouse, parent, grandparent, sibling, child, or grandchild of an opposing candidate.

*Va. Code Ann. § 24.2-117 (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony, unless civil rights have been restored by the governor or other appropriate authority.

*Va. Code Ann. § 24.2-101; Va. Const. Art. II, § 1 (Thomson/West 2006).*

**Note:** Pending legislation would add that the general assembly may provide by general law for the restoration of civil rights to persons who have been convicted of felonies and who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence.

*2006 VA S.J.R. 307 (NS) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if adjudicated incapacitated unless capacity has been reestablished as provided by law.

*Va. Code Ann. § 24.2-101; Va. Code Ann. § 24.2-101; Va. Const. Art. II, § 1 (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be competent.

*Va. Code Ann. § 24.2-115 (Thomson/West 2006).*

**Good Reputation Requirement**

Must be competent.

*Va. Code Ann. § 24.2-115 (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

No information available.

## Washington

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

No statutory registration requirement. Must either be a member of a major political party qualified to work on an election board in the precinct.

*Wash. Rev. Code § 29A.44.430 (Thomson/West 2006).*

Or must be a properly trained person.

*Wash. Rev. Code § 29A.44.410 (3) (Thomson/West 2006).*

### Age Requirement

There is no minimum age requirement to work at the polls.

*Nick Handy, Director of Elections, Washington State (2006).*

18 years of age for registration.

*WA Const. Art. VI, § 1, (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

Lived in the State, county, and precinct 30 days.

*WA Const. Art. VI, § 1 (Thomson/West 2006).*

For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence or lost it by reason of his absence while a student at any institution of learning.

*WA Const. Art. VI, § 4 (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Precinct. Whenever possible, should be residents of the precinct in which they serve.

*Wash. Rev. Code § 29A.44.410 (1) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation generally required. The political party representation of a single set of precinct election officers shall, whenever possible, be equal but, in any event, no single political party shall be represented by more than a majority of one at each polling place.

*Wash. Rev. Code § 29A.44.420 (Thomson/West 2006).*

At least ten days prior to any primary or election, general or special, the county auditor appoints one inspector and two judges of election for each precinct (other than vote-by-mail precincts) from lists submitted by the chairpersons of the county central committees of the two political parties entitled to representation.

*Wash. Rev. Code § 29A.44.410 (1) (Thomson/West 2006).*

By the first day of June each year, the county chair of each major political party shall certify and compile a list of qualified precinct residents from the precinct committee's nominations, add names if there are insufficient nominees, and substitute nominees for those deemed unqualified.

*Wash. Rev. Code § 29A.44.430 (Thomson/West 2006).*

If the list is insufficient, the auditor may appoint a properly trained person whose name does not appear on such a list as an inspector or judge of election for a precinct.

*Wash. Rev. Code § 29A.44.410 (3) (Thomson/West 2006).*

If there are sufficient numbers of nominees from the political parties, then the county auditor shall designate the inspector and one judge in each precinct from that political party which polled the highest number of votes in the county for its candidate for president at the last preceding presidential election and one judge from that political party polling the next highest number of votes.

*Wash. Rev. Code § 29A.44.410 (4) (Thomson/West 2006).*

The auditor may also appoint one or more persons to act as clerks if in his or her judgment such additional persons are necessary. Each clerk appointed shall represent a major political party.

*Wash. Rev. Code § 29A.44.420 (Thomson/West 2006).*

#### **Term Requirements**

Poll workers are appointed prior to each election.

*Wash. Rev. Code § 29A.44.410 (1) (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

The precinct election officers for each precinct shall meet at the designated polling place at the time set by the county auditor.

*Wash. Rev. Code § 29A.44.150 (Thomson/West 2006).*

The election officer having jurisdiction of the election may designate at what hour the clerks shall report for duty.

*Wash. Rev. Code § 29A.44.420 (Thomson/West 2006).*

Judges and clerks of an election are compensated at not less than the minimum hourly wage. Inspectors receive the rate paid to judges and clerks, plus compensation for an additional two hours.

*Wash. Rev. Code § 29A.44.530 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Before each State primary or general election at which voting systems are to be used, the county auditor shall instruct all precinct election officers.

*Wash. Rev. Code § 29A.12.120 (1) (Thomson/West 2006).*

The county auditor may waive instructional requirements for precinct election officers who have previously received instruction and who have served for a sufficient length of time to be fully qualified to perform their duties.

*Wash. Rev. Code § 29A.12.120 (2) (Thomson/West 2006).*

No inspector or judge may serve at any primary or election at which voting systems are used unless he or she has received the required instruction and is qualified to perform his or her duties in connection with the voting devices.

*Wash. Rev. Code § 29A.12.120 (4) (Thomson/West 2006).*

As compensation for the time spent in receiving instruction, each precinct election officer who qualifies and serves at the subsequent primary or election receives additional two hours compensation.

*Wash. Rev. Code § 29A.12.120 (3) (Thomson/West 2006).*

Oath required.

*Wash. Rev. Code § 29A.44.490 (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No prohibition, but interference with voter prohibited. No person may interfere with a voter in any way within the polling place.

*Wash. Rev. Code § 29A.44.010 (Thomson/West 2006).*

This does not prevent the voter from receiving assistance in preparing his or her ballot as provided in RCW 29A.44.240.

*Nick Handy, Director of Elections, Washington State (2006).*

#### **Candidates Prohibited**

No prohibition, but interference with voter prohibited. No person may interfere with a voter in any way within the polling place.

*Wash. Rev. Code § 29A.44.010 (Thomson/West 2006).*

This does not prevent the voter from receiving assistance in preparing his or her ballot as provided in RCW 29A.44.240.

*Nick Handy, Director of Elections, Washington State (2006).*

#### **The Effect of Felon Status on Participation**

Since registration is not a requirement to work at polls, there is no statutory prohibition against those convicted of infamous crimes from working at the polls.

*Nick Handy, Director of Elections, Washington State (2006).*

#### **The Effect of Mental Incapacitation on Participation**

Since registration is not a requirement to work at polls, there is no statutory prohibition against those declared mentally incompetent from working at the polls.

*Nick Handy, Director of Elections, Washington State (2006).*

#### **English Fluency and Literacy Requirement**

No information available.

**Good Reputation Requirement**

No information available.

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

No information available.



## West Virginia

### State Registration Requirement

(Exceptions may be found in Student Election Assistant category)

Must be a registered voter.

*W. Va. Code § 3-1-28(a) (1) (Thomson/West 2006).*

### Age Requirement

18 years of age.

*W. Va. Code § 3-2-2(a) (Thomson/West 2006).*

A person who is at least 17 years of age and who will be 18 years of age by the time of the next ensuing general election may also be permitted to register.

*W. Va. Code § 3-2-2(a) (Thomson/West 2006).*

### Residency Place and Term Required for Voter Registration

State and county.

*W. Va. Code § 3-2-2(a) (Thomson/West 2006).*

### Residency Requirement for Service (State, County or Precinct)

Generally county for county-wide elections and municipality for municipal elections. Must be a registered voter of the county for elections held throughout the county and a registered voter of the municipality for elections held within the municipality; However, if the required number of persons eligible to serve as election officials for a municipal election are not available or are not willing to serve as election officials for a municipal election, a registered voter of the county in which the municipality is located may serve as an election official for elections held within the municipality.

*W. Va. Code § 3-1-28(a) (1) (Thomson/West 2006).*

### Affiliation with Political Party Requirement and Process for Nomination as Poll Worker

Affiliation required for two of three positions in precinct. The two major parties may each nominate one qualified person for each team of poll clerks and one qualified person for each team of election commissioners to be appointed for the election.

*W. Va. Code § 3-1-30(a) (1) (Thomson/West 2006).*

The appointing body also selects one qualified person as the additional election commissioner for each board of election officials.

*W. Va. Code § 3-1-30(a) (2) (Thomson/West 2006).*

The appointing body also selects alternates equal to a minimum of 10 percent of the required poll clerks and election commissioners.

*W. Va. Code § 3-1-30(a) (3) (Thomson/West 2006).*

No later than the 56th day before the election, the parties file their lists with the governing body (county, municipal or school board depending on election) and 49 days before an election the governing body appoints the poll clerks and commissioners. The governing body fills positions for which no nominations were filed.

*W. Va. Code § 3-1-30(a) (4); W. Va. Code § 3-1-30(e) (Thomson/West 2006).*

Note: Rules differ slightly for municipal elections in municipalities without party executive committees.

#### **Term Requirements**

Poll workers are appointed before each election.

*W. Va. Code § 3-1-30(a) (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

Compensation depends on role:

- Each commissioner of election and poll clerk is to be paid a sum, to be fixed by the county commission, not exceeding \$125 for one day's services for attending the school of instruction for election officials if the commissioner or poll clerk provides at least one day's service during an election and a sum not exceeding \$175 for his or her services at any one election.
- Each alternate commissioner of election and poll clerk may be paid a sum, to be fixed by the county commission, not exceeding \$50 for one day's services for attending the school of instruction for election officials.

*W. Va. Code § 3-1-44(a) - (c) (Thomson/West 2006).*

Hours: 5:45 a.m. to close of polls.

*W. Va. Code § 3-1-30(f) (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

The county holds an instructional program, which includes an audio-visual training program produced by the Secretary of State and the State election commission.

*W. Va. Code § 3-1-46(b) (Thomson/West 2006).*

No person can serve as an election commissioner or poll clerk in any election unless he or she has attended such instructional program. However, in cases of emergency when no person who has attended the instructional program for that election is available to fill a vacancy on the election board, the clerk of the county commission may appoint those who have not had training.

*W. Va. Code § 3-1-46(c) (Thomson/West 2006).*

Oath required.

*W. Va. Code § 3-1-30a (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

No information available.

**Candidates Prohibited**

No candidates on the ballot or official write-in candidates in the election may serve. No parent, child, sibling or spouse of a candidate on the ballot in the precinct may serve in that precinct.

*W. Va. Code § 3-1-28(a) (3) & (4) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of a felony, treason or bribery in an election, under either State or Federal law, is disqualified while serving his or her sentence, including any period of incarceration, probation or parole related thereto.

*W. Va. Code § 3-2-2(b) (Thomson/West 2006).*

Prohibited if previously convicted of a violation of any election law.

*W. Va. Code § 3-1-28(a) (6) (Thomson/West 2006).*

**The Effect of Mental Incapacitation on Participation**

Prohibited if determined to be mentally incompetent by a court of competent jurisdiction for as long as that determination remains in effect.

*W. Va. Code § 3-2-2(b) (Thomson/West 2006).*

**English Fluency and Literacy Requirement**

Must be able to read and write the English language.

*W. Va. Code § 3-1-28(a) (2) (Thomson/West 2006).*

**Good Reputation Requirement**

The county commission may, upon majority vote, suspend the eligibility to serve as an election official in any election for four years for the following reasons:

- Failure to appear at the polling place at the designated time without proper notice and just cause;
- Failure to perform the duties of an election official as required by law;
- Improper interference with a voter casting a ballot or violating the secrecy of the voter's ballot;
- Being under the influence of alcohol or drugs while serving as an election official; or
- Having anything wagered or bet on an election.

*W. Va. Code § 3-1-28(b) (Thomson/West 2006).*

**Alternative Positions with Different Requirements**

No information available.

**Student Election Assistant Statute**

Election official trainee: 16 or 17 years old and has meet the qualifications of election officials, other than being a registered voter, listed in W. Va. Code § 3-1-28(a).

*W. Va. Code § 3-1-29(a) (5) (Thomson/West 2006).*

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Do not have to be registered, but must be a qualified elector.

*Wis. Stat. § 7.30(2) (a) (Thomson/West 2006).*

**Age Requirement**

18 years of age.

*Wis. Stat. § 6.02(1) (Thomson/West 2006).*

16 or 17 years of age if high school student qualified under *Wis. Stat. § 7.30(2) (am)*.

**Residency Place and Term Required for Voter Registration**

Reside in election district or ward for ten days before any election.

*Wis. Stat. § 6.02(1) (Thomson/West 2006).*

**Residency Requirement for Service (State, County or Precinct)**

Ward or wards, or the election district, for which the polling place is established.

*Wis. Stat. § 7.30(2) (a) (Thomson/West 2006).*

Vacancies may be filled in cases of emergency or because of time limitations by a person from another aldermanic district or ward within the municipality.

*Wis. Stat. § 7.30(2) (b) (Thomson/West 2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation generally required. All inspectors shall be affiliated with one of the two recognized political parties which received the largest number of votes for president, or governor in non-presidential general election years, in the ward or combination of wards served by the polling place at the last election.

*Wis. Stat. § 7.30(2) (a) (Thomson/West 2006).*

If party does not supply a list of qualified members or the list is insufficient, the board of election commissioners appoints, or the mayor, president or chairperson of a municipality may nominate, qualified persons whose names have not been submitted. Any appointment which is made due to the lack of availability of names submitted by the parties may be made without regard to party affiliation.

*Wis. Stat. § 7.30(4) (c) (Thomson/West 2006).*

Parties must submit lists of nominees by November 30th of each even-numbered year, and the board of election commissioners or governing body shall appoint nominees from the list by December 31th.

*Wis. Stat. § 7.30(4) (a)-(b) (Thomson/West 2006).*

Note: Only the city and county of Milwaukee have a board of election commissioners. In addition, municipalities, other than cities and villages in counties having a population of more than 500,000, have slightly different nomination procedures through their mayor, president or chairperson.

*Wis. Stat. § 7.30(4) (Thomson/West 2006).*

<sup>1</sup> Legislation is pending that would affect many of the provisions.

**Term Requirements**

Two years and shall serve at every election in ward during term of office. Terms begin on January 1st of odd-numbered years and end on December 31st of even-numbered years.

*Wis. Stat. § 7.30(6) (a) (Thomson/West 2006).*

**Compensation and Hour Requirements**

Reasonable daily compensation.

*Wis. Stat. § 7.03(1) (a) (Thomson/West 2006).*

**Training, Certification and Oath Requirements**

State elections board shall, by rule, prescribe requirements for certification for chief inspectors. Chief inspector at a polling place must be certified by the board to hold that office.

*Wis. Stat. § 7.31(1) & (2) (Thomson/West 2006).*

Examinations may be given to inspectors to prove that qualifications can be met.

*Wis. Stat. § 7.30(2) (c) (Thomson/West 2006).*

Municipal clerks are required to instruct poll workers in their duties.

*Wis. Stat. § 7.15(1) (e) (Thomson/West 2006).*

Municipal and county clerks are required to assist the State elections board in conducting training.

*Wis. Stat. § 5.06(7); Wis. Stat. § 7.10(9); Wis. Stat. § 7.15(11) (Thomson/West 2006).*

Oath required.

*Wis. Stat. § 7.30(5) (Thomson/West 2006).*

**Elected Public Officials Prohibited**

No election officials in first class cities may hold public office other than notary public.

*Wis. Stat. § 7.30(2) (a) (Thomson/West 2006).*

Local government associations recommend that elected officials everywhere in Wisconsin refrain from serving as poll workers, even when they are not candidates.

*Kevin Kennedy, Executive Director, State Election Board of Wisconsin (2006).*

**Candidates Prohibited**

No candidate may serve in an election in which he is running.

*Wis. Stat. § 7.30(2) (a) (Thomson/West 2006).*

**The Effect of Felon Status on Participation**

Prohibited if convicted of treason, felony or bribery, unless the person's right to vote is restored through a pardon or by completing the term of imprisonment or probation for the crime that led to the disqualification.

*Wis. Stat. § 6.03(1) (a); Wis. Stat. § 304.078(3) (Thomson/West 2006).*

### **The Effect of Mental Incapacitation on Participation**

Prohibited if incapable of understanding the objective of the elective process or under guardianship pursuant to the order of a court under ch. 880, except that when a person is under limited guardianship, the court may determine that the person is competent to exercise the right to vote.

*Wis. Stat. § 6.03(1) (a) (Thomson/West 2006).*

### **English Fluency and Literacy Requirement**

Must be able to read and write the English language.

*Wis. Stat. § 7.30(2) (a) (Thomson/West 2006).*

### **Good Reputation Requirement**

Must be capable and of good understanding.

*Wis. Stat. § 7.30(2) (a) (Thomson/West 2006).*

### **Alternative Positions with Different Requirements**

Special registration deputies may be specially appointed by the clerk or board of election commissioners for one election only to conduct elector registration only.

*Wis. Stat. § 6.55(6) (Thomson/West 2006).*

Special voting deputies may be appointed for the purpose of absentee voting in nursing homes and qualified retirement homes and qualified community-based residential facilities, the municipal clerk or board of election commissioners of each municipality in which one or more nursing homes or qualified retirement homes or qualified community-based residential facilities are located shall appoint at least two special voting deputies for the municipality.

*Wis. Stat. § 6.875(4) (Thomson/West 2006).*

Tabulators may be appointed no less than 30 days before any election the governing body or board of election commissioners of any municipality, by resolution, may authorize the municipal clerk or executive director of the board of election commissioners to select and employ tabulators for any election.

*Wis. Stat. § 7.30(3) (Thomson/West 2006).*

### **Student Election Assistant Statute**

- 16 or 17 years old;
- Enrolled in grades 9 to 12 in a public or private school;
- At least 3.0 GPA; and
- The approval of parent or guardian and principal of the school attending.

*Wis. Stat. § 7.30(2) (am) (Thomson/West 2006).*

A pupil appointed as an inspector shall serve only for the election for which he or she is appointed. This shall not be construed to limit the number of times a pupil may be appointed as an inspector.

*Wis. Stat. § 7.30(6) (am) (Thomson/West 2006).*

## Wyoming

**State Registration Requirement**

(Exceptions may be found in Student Election Assistant category)

Must be a registered elector.

*Wyo. Stat. Ann. § 22-8-101(b) & (c) (Thomson/West 2006).*

**Age Requirement**

16 years of age, but no more than one person under age 18 may be appointed as election judge for each precinct.

*Wyo. Stat. Ann. § 22-8-102; Wyo. Stat. Ann. § 22-8-106 (Thomson/West 2006).*

18 years of age to vote.

*Wyo. Stat. Ann. § 22-3-102(a) (ii) (Thomson/West 2006).*

**Residency Place and Term Required for Voter Registration**

Bona fide State resident.

*Wyo. Stat. Ann. § 22-3-102(a) (Thomson/West 2006).*

**Residency Requirement for Service (State, County or Precinct)**

County.

*Wyo. Stat. Ann. § 22-8-101(b) (Thomson/West 2006).*

**Affiliation with Political Party Requirement and Process for Nomination as Poll Worker**

Affiliation generally required. Judges and members of counting boards shall be divided between the participating political parties as nearly equal as possible.

*Wyo. Stat. Ann. § 22-8-109 (Thomson/West 2006).*

Not later than the third Tuesday of May in each general election year the county chairman of each major and minor political party in each county may certify to the county clerk a list of registered electors residing in the county and affiliated with the party, and a list of persons who are at least 18 years of age who otherwise meet all requirements for qualification as an elector, who are willing to serve as a judge of election or as a member of a counting board. At the same time, municipal clerks may submit two similar lists of municipal residents, without the need to note party affiliation. Not later than June 30th of each general election year, the county clerk shall appoint judges of election and counting boards and alternates from lists submitted by the county chairmen of the major and minor political parties. If the list of party nominees is insufficient, the county clerk shall consider the list submitted by the municipal clerks and may appoint any elector otherwise qualified.

*Wyo. Stat. Ann. § 22-8-101 (Thomson/West 2006).*

**Term Requirements**

Two years or until successor is appointed.

*Wyo. Stat. Ann. § 22-8-103 (Thomson/West 2006).*

#### **Compensation and Hour Requirements**

Judges of election and members of counting boards shall be compensated for services at a rate to be determined by the board of county commissioners at the June meeting and stated on the notice sent to each nominee. The rate shall be not less than the State minimum wage.

*Wyo. Stat. Ann. § 22-8-116 (Thomson/West 2006).*

All judges and members of the counting board shall be paid not less than \$5 or more than \$25 as determined by the board of county commissioners for attending a school.

*Wyo. Stat. Ann. § 22-8-113 (Thomson/West 2006).*

#### **Training, Certification and Oath Requirements**

Unless training is otherwise provided to the satisfaction of the county clerk, all judges of election and members of counting boards are obligated to attend at least one training school under the county clerk.

*Wyo. Stat. Ann. § 22-8-113 (Thomson/West 2006).*

Oath required.

*Wyo. Stat. Ann. § 22-8-115(a) (Thomson/West 2006).*

#### **Elected Public Officials Prohibited**

Not addressed in statute.

#### **Candidates Prohibited**

Attorney general's opinion, dated May 31, 1990, states that candidates may not work at the polls.

*Peggy Nighswonger, State Election Director, Wyoming (2006).*

#### **The Effect of Felon Status on Participation**

Prohibited if convicted of a felony, and has not had his civil or voting rights restored.

*Wyo. Stat. Ann. § 22-3-102(a) (iv); Wyo. Const. Art. VI, § 6 (Thomson/West 2006).*

#### **The Effect of Mental Incapacitation on Participation**

Prohibited if currently adjudicated mentally incompetent.

*Wyo. Stat. Ann. § 22-3-102(a) (iv); Wyo. Const. Art. VI, § 6 (Thomson/West 2006).*

#### **English Fluency and Literacy Requirement**

Must be physically, morally and mentally competent to perform duties.

*Wyo. Stat. Ann. § 22-8-102 (Thomson/West 2006).*

#### **Good Reputation Requirement**

Must be physically, morally and mentally competent to perform duties.

*Wyo. Stat. Ann. § 22-8-102 (Thomson/West 2006).*



**Alternative Positions with Different Requirements**

None.

**Student Election Assistant Statute**

May be 16 years old if such persons meet all other requirements for qualification of an elector.  
*Wyo. Stat. Ann. § 22-8-102 (Thomson/West 2006).*

**EAC Commissioners**

Chair Donetta L. Davidson  
Vice-Chair Rosemary E. Rodriguez  
Commissioner Caroline Hunter  
Commissioner Gracia M. Hillman

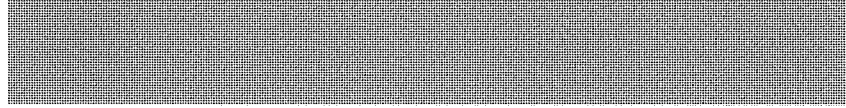
**EAC Staff**

Thomas Wilkey, Executive Director  
Juliet Hodgkins, General Counsel



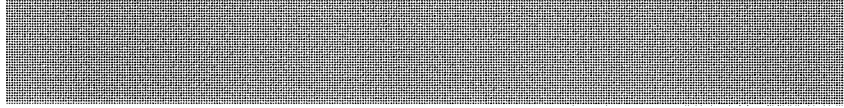
**U.S. Election Assistance Commission**

1225 New York Avenue, NW  
Suite 1100  
Washington, DC 20005  
866-747-1471 (toll free)  
HAVAinfo@eac.gov  
www.eac.gov



Successful Practices  
for Poll Worker Recruitment, Training, and Retention  
2nd Edition





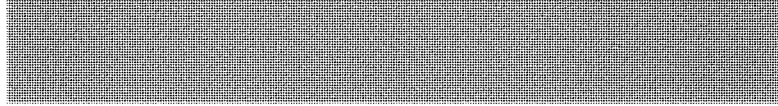
The United States Election Assistance Commission (EAC)  
is an independent bipartisan commission created by  
The Help America Vote Act (HAVA) of 2002. It is charged with  
administering payments to States and developing guidance to meet  
HAVA requirements, adopting voluntary voting system guidelines,  
and accrediting voting system test laboratories,  
and certifying voting equipment.  
EAC also serves as a national clearinghouse  
and resource of information regarding election administration.

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## Introduction

1

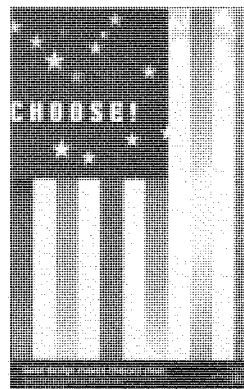
### Welcome to the U.S. Election Assistance Commission's Guidebook on Successful Practices for Poll Worker Recruitment, Training, and Retention

**Background and Purpose.** The U.S. Election Assistance Commission (EAC) was established by the Help America Vote Act (HAVA) of 2002 to serve as a coordinating center for the Nation's election officials. Congress directed the EAC to research and compile a broad spectrum of "best practices" employed in preparing for and conducting elections, drawing on the collective experience, and wisdom of seasoned election administrators and community leaders, and to make these practices and procedures available to all.

This guidebook is the result of a 17-month applied research study commissioned by the EAC in 2005 and implemented through a partnership with IFES (formerly known as the International Foundation for Election Systems), The Poll Worker Institute, and the League of Women Voters.

This guidebook presents, for the first time, a framework for evaluating election-jurisdiction administrative practices based on interviews, surveys, and feedback from thousands of election officials and other community leaders nationwide. It is, necessarily, a "snapshot" of poll worker recruitment, training, and service practices across America in a limited period of time.

This guidebook is offered as a manual for election-jurisdiction administrators and others who assist in the ongoing effort to train and staff polling places with workers who contribute their time and skills for this fundamental exercise in the American political process. Flexibility is key: this guidebook presents a variety of field-tested techniques that can be adapted by election jurisdictions of varying sizes and demographics. Not all ideas and techniques



will be relevant to every jurisdiction; the varying requirements imposed by individual State laws, local regulations, and time constraints mean that each jurisdiction must develop its own approach to poll worker training and service. Ideas and practices from all sources were subjected to three important criteria for inclusion in this guidebook: Can the results be measured? Can the practice be sustained in a given jurisdiction over time? Can the practice be replicated elsewhere? An attempt was made to gauge the effort necessary to implement each practice and to determine the resources required and the costs and benefits associated with the practice.

The EAC trusts that election administrators and community leaders will find this guidebook a useful source of ideas and techniques that they can adapt to the circumstances of their particular jurisdictions.

## Approach and Methodology

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Within the election community there is a tremendous wealth of experience and expertise in recruiting, training, and retaining poll workers. Over the years, election officials have devised innovative and resourceful methods for meeting the challenge of staffing polls on Election Day. The limitations of time and resources, however, have hampered efforts to share this expertise throughout the election world. This guidebook attempts to make that knowledge and expertise widely available.

- **Gathering Field-Tested Practices.** Every practice recommended in this guidebook has been tested in the field. Likewise, the tools, tips, and case studies all are derived from the practical experience of election professionals. As such, the contents of this guidebook are grounded in the realities of current election administration—a world of limited time and money, political and partisan controversy, and intense public scrutiny.
- **Maximizing Available Resources.** In seeking to tap the expertise of election officials, the authors of this guidebook relied on at least three important sources—The Election Center's Professional Practices Program, the National Association of Counties (NACo) Achievement Awards, and the EAC's "Best Practices in Election Administration."
- **NACo Survey.** The authors also relied heavily on a nationwide survey of local election officials conducted in the spring of 2006 by NACo, The Election Center, and the International Association of County Recorders, Election Officials, and Treasurers (IACREOT). The survey provided a benchmark of current practices of poll worker recruitment, training, and retention. The survey also provided important leads, guiding the authors to those election officials who are actively raising the standards for poll worker administration with new programs and approaches.

In addition to researching current and successful practices nationwide, the authors sought to gain a better, more complete understanding of the constraints on poll worker programs.

- **Focus Groups.** The League of Women Voters' Education Fund conducted focus groups across the country with election officials, poll workers, the general public, and stakeholders. The final report provided a nuanced picture of the challenges facing election officials. At the same time, the focus-group report provided an important perspective on the motivations for serving and potential strategies for reaching key audiences with effective recruitment messages.
- **Impact of State Laws.** The authors were also mindful of the complications imposed by myriad State laws governing who may serve at the polls. A compendium of State requirements compiled and verified jointly by Cleveland State University and IFES offers a framework for understanding the legal limitations in many States.
- **Outside Perspectives.** The authors worked with the EAC to appoint a working group of election practitioners, academics, and experts in adult learning, and accessibility and voting rights issues to bring important outside perspectives. The working group provided feedback on drafts at four different points in the project.
- **Extra Vetting of Particular Chapters.** The guidebook especially benefited from a series of interactive roundtables conducted on such areas as the role of adult learning in poll worker training, community organizations, accessibility issues, bilingual poll worker recruiting, college poll worker projects, and recruiting in hard-to-reach communities. The chapters on these topics benefited enormously from the insights and critiques of working group members and roundtable participants.
- **Compiling a Variety of Models.** The description of each practice and tool is based primarily on conversations and interviews with election officials about their programs. Wherever possible, the authors attempted to speak with election officials from both large and small jurisdictions. The models presented are "hybrids," merging common and universal elements from a variety of specific, individual models.



- Interviews with practitioners covered practical details, such as the amount of staff time required, the cost, and resources needed—vital information for any election official considering implementing a new program.

#### **Providing a Framework for Evaluating Practices and Tools.**

The authors sought information that would help in evaluating practices and tools according to three important criteria: ability to measure, ability to sustain, and ability to replicate. In the interviews with election officials, the authors tried to gauge the political will necessary to implement the project, whether the officials had quantified the costs and benefits, and the level of risk involved.

The effort to provide a framework for evaluating the practices is limited by the fact that the survey provides a snapshot in time. The authors do not have the means to monitor change over several election cycles. Nevertheless, they believe even limited information about the ability to measure, sustain, and replicate these practices will greatly enhance the usefulness of the guidebook for individual users.

**Field-Testing in Pilot Jurisdictions.** In June 2006, the IFES/Pollworker Institute (PI) team selected three jurisdictions to pilot the guidebook. The jurisdictions chosen were Milwaukee, WI, Santa Fe, NM, and Hamilton County, OH. Selection criteria included at least one jurisdiction covered by Section 203 of the Voting Rights Act, at least one jurisdiction with a partisan representation requirement, and at least one jurisdiction introducing a new voting system. The participating election offices were both large and small and were geographically diverse.

Sites were asked to test the contents and usability of the guidebook and to implement practices from each of the three sections of the guidebook and track the results. Tracking the results gave the IFES/PI team objective, quantified information about the effectiveness of the practices and enabled the authors to develop and refine models for use in the guidebook. To replicate the experience of

typical election officials who will receive the guidebook without extensive personal guidance, the research team took a hands-off approach to the pilot projects.

A post-pilot survey of the practices implemented asked election officials in the pilot jurisdictions to report on the following:

- Impact on staff.
- Impact on budget.
- Management challenges.
- Sustainability.

The survey also asked election officials several questions to gauge the usability of the guidebook: Could they find practices to address specific needs? Did they browse the guidebook? Was the table of contents useful?

#### **Snapshot of Pilot Program Successes**

##### **Milwaukee, Wisconsin**

**Chapter 7, Working With Government Employees.** With the support of the mayor and city agencies, 320 management-level city employees were recruited as poll workers (16 percent of the total number of poll workers). They provided valuable professional assistance in polling places on Election Day. These specialty poll workers brought a high level of management and problem-solving skills to the polling place operations—and contributed to building wider public support for the election office.

##### **Chapter 10, Offering a Split-Shift Option.**

When the election office offered the split-shift option, 350 poll workers chose to take advantage of the option. The election office then recruited another 350 poll workers to cover the second shift. Many of these second-shift poll workers were new recruits who otherwise might have been unwilling to serve. It appears that many of the new recruits enjoyed their experience and are now willing to serve the whole day.

**Santa Fe, New Mexico****Chapter 1, Recruiting the General Public.**

Santa Fe leveraged a relationship with a local reporter, who published a notice about the need for poll workers for three consecutive days. More than 200 people responded to the notice—nearly overwhelming the election office.

**Chapter 1, Recruiting the General Public.**

Santa Fe posted bright orange poll worker recruitment signup sheets in the polling place. Twenty precincts returned the sheets with a total of 50 names.

**Hamilton County, Ohio****Chapter 1, Recruiting the General Public.**

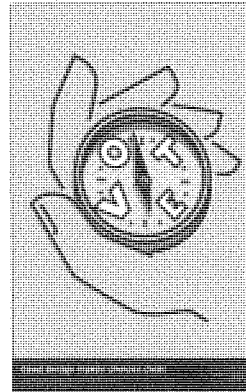
Hamilton County developed a method for tracking the source of each poll worker, both new and old. The county tracked the source of each poll worker who worked in the election.

**Impact on the Guidebook**

- Pilot offices requested specific models and how-to instructions. The authors searched for existing models. They also used models developed by the pilot jurisdictions in the guidebook.
- Jurisdictions appeared to be less likely to use the guidebook to plan a complete overhaul than to make incremental changes over a longer period of time. The authors changed the guidebook to include more simple and easy-to-implement changes.

**Note on the Terminology and Reference to Specific Jurisdictions**

The immense variety of election terms posed a challenge for the authors. Poll workers are variously called judges, booth workers, precinct officials, board workers, and, of course, poll workers. The person in charge of the polling place on Election Day can be called a precinct captain, chief judge, supervisor, or presiding judge, to name just a few. For simplicity's sake, we refer to all workers in a polling place as poll workers.



References to the sizes of jurisdictions are roughly based on the following breakdown:

- Large: population of 250,000 or larger.
- Medium: population of 50,000–249,999.
- Small: population of 49,999 or smaller.

**Hybrid Discussion/Specific Models.**

Whenever possible, this guidebook provides composites gleaned from dozens of interviews on any practice or method, rather than from the efforts of specific jurisdictions. The many models included in the guidebook (flyers, forms, tables, etc.) are most effective when presented in their original context, with references.

## Section One. Recruitment

7

Elections depend on poll workers. They cannot operate without the army of citizens who are willing to staff the polls every Election Day.

Recruiting poll workers is an ongoing challenge. According to a 2006 survey conducted by the National Association of Counties (NACo), 56 percent of election officials reported that they were unable to fully staff the polls in the last presidential election.

Increasingly, election officials need poll workers with different skills. Under the Voting Rights Act of 1965, for example, many jurisdictions require bilingual poll workers due to the growing number of naturalized citizens for whom English is a second language. Since the passage of the Help America Vote Act (HAVA) of 2002, officials seek poll workers who are comfortable with new technology, such as touch-screen voting systems and electronic poll books. As closely contested elections become more common, officials also need poll workers who can implement increased documentation and security procedures. Following the 2000 election and the passage of HAVA, demands on poll workers' performance have increased.

### Specialty Recruiting

Traditionally, poll workers have been recruited individually. Partnering with intermediary organizations to recruit poll workers is a good

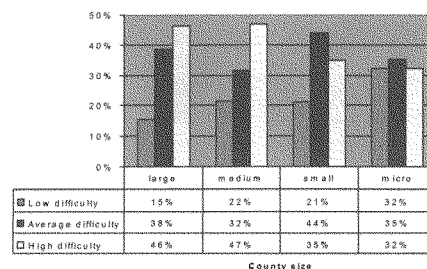
alternative. One county is able to recruit 800 of its 4,000 poll workers by partnering with local businesses. Another county recruits two-thirds of its poll workers through intermediaries, a process called Specialty Recruiting. Such strategies can form part of a long-term poll worker recruiting strategy. Election officials are developing long-term relationships with groups that provide workers, rather than relying solely on short-term connections to individual workers.

### Track Recruiting Efforts

Because election officials have limited time and money to spend on poll worker recruitment, it is important to track those recruiting efforts that yield the greatest number of high-quality poll workers. Those election officials who monitor the results of their poll worker recruitment efforts cite three benefits of tracking:

1. It determines which recruitment tactics are most cost-effective and makes a strong case for decisionmakers to allocate resources to use those tactics.
2. It identifies sources of poll workers who possess the skills and background most needed in the changing election environment.
3. It analyzes the long-term effectiveness and quality of poll workers recruited by different methods.

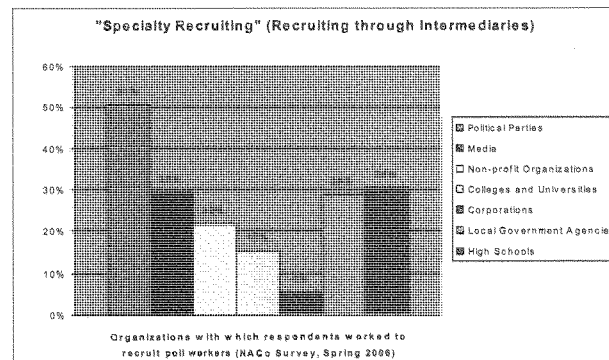
Percentage of respondents who indicated high/low levels of difficulty recruiting poll workers (Results of National Association of Counties Survey, Spring 2006)



Track the percentage of your poll workers recruited through each kind of outreach. Some jurisdictions code their poll worker application forms to indicate where applicants got them. Forms given out at public events have one code; signup sheets or applications given out on Election Day have another code; online applications have still another code. These codes are entered into the applicant's file. Some jurisdictions use poll worker management software, but those using a simple Excel or Access data-base can add a field in the record with the code indicating how the poll worker was recruited.

Election officials should use uniform codes. For instance, if one staff member types "Recruited at Democratic Central Committee meeting" and another enters "DCCC," results will be more difficult to compile. Consider using drop-down boxes and labeling them as follows:

- *Already on File/Experienced PWs*  
(Source not known)
- *Democratic Party Event*
- *College Poll Worker*
- *County Poll Worker*
- *High School Poll Worker*
- *Newspaper Ad*
- *Radio Ad*
- *Referral From Current Poll Worker*
- *Registration/Recruiting Postcard*  
*Mass Mailing*
- *Republican Party Event*
- *Targeted Letter to Individual Voters*  
*or Households*



Sample #1. Drop-Down List Used To Code Poll Workers by Source, Los Angeles County, CA (page 62)

## Chapter 1 Recruiting the General Public

9

### In This Chapter

- Tips for Improving Your Recruiting Program
- Recruitment Messages That Motivate Poll Workers
- Printed Materials for Your Recruitment Drive
- Electronic Media for Your Recruitment Drive
- Common Outreach Tools for Your Recruitment Drive
- Other Recruitment Ideas To Consider

What messages recruit poll workers? What messages recruit the best poll workers? How can you get these messages to the right audience? Focus groups conducted by the League of Women Voters' Education Fund in 2006 provide some answers.

Consider the following issues when planning a recruitment effort:

- The public has limited knowledge of how polling places operate, and many people may not realize that they can serve as poll workers. Let people know about the need for poll workers and that they are eligible to serve.
- An in-person request will be more effective than a broadcast message, but it's far more labor intensive. A targeted request made to voters in the neighborhood where poll workers are needed is even more effective.
- Because recruiting is labor intensive and because the need for poll workers with different skills is increasing, keeping track of recruiting methods is extremely important. You need to know which methods are bringing in poll workers who meet your needs.

This chapter describes the most common practices used by election officials across the United States to bring in potential poll workers. Your challenge is to put these practices to the test and to use them strategically given the issues addressed above.

#### Tips for Improving Your Recruiting Program

- **Be specific.** When developing your message, be specific about your needs. Whether you are drafting a recruitment letter or a press release, include specifics, such as "26 people are needed to serve in the Lake Ridge Community" or "57 technology-savvy voters are needed to serve in Ward 6." Citing a specific need lends a sense of urgency to your request.



*"One of the major misconceptions I had was, I thought the poll workers worked for the government—that they were sent here by the President—to ensure that I could cast my vote, and they're not—they're average people like my parents who volunteer and give their time so that everyone else can vote."*

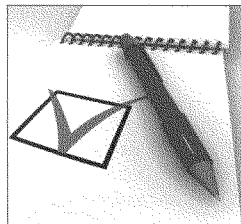
—Chari Burke, Deputy Clerk of Court Administration, Marion County, IN, as stated in the *By the People* movie.

- **Target your audience.** A general public service announcement (PSA) or advertisement may not yield as many responses as an article about the need for poll workers in a newsletter for retired teachers or retired government employees.
- **Use your Web site.** If your office has a Web site, post a highly visible notice about the need for poll workers. Any Internet-based recruitment effort will bring recruits who are comfortable with computer technology.
- **Create checklists and follow up on every lead.** Keep track of recruitment calls and make sure the people who call are either placed on a team or on a standby list. Keep a record of the people you are unable to place and the reason why you could not place them. This record will help indicate which recruiting efforts led to placing people on teams and which led to lists of nonplaceable people.
- **Be prepared.** When recruiting, make sure you have the capacity to respond to every potential applicant who calls your office. You do not want an applicant to call and not be able to get through to the right person or to leave a message that is never returned. If you do not have enough staff members to handle a high volume of calls, be sure that an answering machine or electronic voice mail picks up when the phone line is busy. The voice message can also direct the caller to your Web site to apply on line.
- **Talk with other election officials.** You can gain a wealth of information from other election professionals facing the same challenges. Compare notes on what worked and what did not work. Share information on the stipend amounts that you pay your poll workers. Reach out to jurisdictions with a similar number of voters or voter demographics to share similar successes, challenges, and solutions. For example, large urban counties and cities will experience challenges similar to other large urban counties and cities.

#### Recruitment Messages That Motivate Poll Workers

Many election officials remember a time when they could simply appeal to a sense of civic duty to recruit all the poll workers they needed. The demands of modern life make more persistent and targeted approaches to poll worker recruitment necessary.

Recent research suggests that, although an appeal to "participate in democracy in action" may motivate some voters, it may not bring enough people to staff the polls adequately or it may not bring enough people with diverse skills, including technological skills, whom you need in your jurisdiction.



#### Sample Recruitment Checklist

- *Have we called every poll worker who served in this precinct in recent history?*
- *Have we called every poll worker who served in a neighboring precinct in recent history?*
- *Have we called the people who signed up to serve at their polling place in past elections?*
- *Have we pulled possible volunteers from all voter registration forms and from responses to recruiting messages in sample ballots or other election materials?*
- *Have we mailed a recruiting postcard to targeted voters in especially hard-to-recruit neighborhoods?*

In the spring of 2006, the League of Women Voters tested various recruitment messages in focus groups drawn from the general public. The League found that people were drawn to the following messages:

- **"Serving as a poll worker is fun!"** Election officials report that longtime poll workers serve repeatedly because they enjoy it. Most poll workers enjoy getting acquainted with and working with neighbors and sharing a potluck meal. (Be careful not to oversell this message. Sitting in a garage or chilly school cafeteria for 12 hours is really not much fun, so be sure to provide tips to poll workers on preparing for the long day, such as bringing snacks and sweaters. Your poll workers will appreciate the heads up.)
- **"You can serve your community" or "Your community needs x number of poll workers..."** People respond more positively to a specific need in their community.
- **"You will be PAID!"** Some potential poll workers will be swayed by the promise of payment. Some poll workers see the volunteer stipend as "a little extra pocket money," while others use it to help pay the rent.

When you are developing your messages, remember that most people know nothing about polling-place operations; you will need to teach them. In addition, consider bringing in representatives from different demographic groups—young professional voters, bilingual voters, or low-income voters—to learn what might motivate them to serve.

#### Printed Materials for Your Recruitment Drive

##### The Application Form

Create a poll worker application form. The form should request all the information you need about the applicant, including name, address, home phone, work phone, e-mail address, precinct, party affiliation, whether the applicant is willing to serve in any precinct in the jurisdiction, language fluency, any relevant physical handicaps, and any potential legal conflicts, such as employment in the office of an elected official.

*Sample #2. Los Angeles County, CA's "World of Difference" Application (page 63)*

*Sample #3. Harris County, TX, Application/Brochure Combo (page 64)*

##### **The poll worker application form should—**

- *Fit on one page.*
- *Be clear.*
- *Leave enough room for the applicant's responses.*
- *Be easily duplicated and adapted to fit into a brochure or flyer.*
- *Include information about where to return the completed application or where to access the form on line.*

##### **Tips**

- *If the application is a stand-alone flyer, consider turning the reverse side into a self-mailer.*
- *Combine the recruiting message with a voter registration mailing.*
- *Use the application as a screening tool provide to an opportunity to evaluate the applicant's literacy.*

### Brochures and Flyers

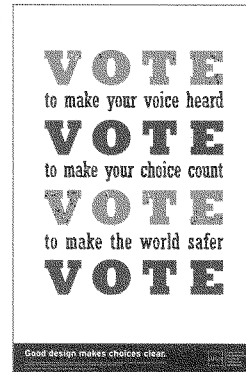
Poll worker brochures and flyers are important for community outreach. If prepared well, they can be an effective education and recruitment tool.

To prepare an effective brochure or flyer, you will need the following:

- Someone to design the brochure or flyer.
- A print shop (or a company that will donate the print job).
- A distribution plan. Consider placing the brochures or flyers in high-traffic locations, such as grocery stores, libraries, and temporary employment agencies. This approach can be a low-maintenance way to provide access to many new potential poll workers. Be sure to place your brochures or flyers at community outlets in precincts where you have a particular need for poll workers.
- A message targeted to your jurisdiction. After you have determined what messages work for your jurisdiction—a specific community need, the stipend, or the fun of being part of Election Day—you can incorporate them into all your printed materials.
- Information about what will be required of applicants, such as pre-Election Day training and the hours they will serve on Election Day.

### Tips for Creating Eye-Catching Recruiting Materials

- Create a title for the brochure, flyer, or program. Examples of messages currently in use include the following:
  - “Help Carry the Torch. Be a Poll Worker”
  - “Champions of Democracy”
  - “Promote Democracy: Poll Workers Needed!”
  - “Help Deliver Democracy and Make Money Doing It!”
  - “Celebrate Your Freedom: Become a Harris County Poll Worker!”
  - “Serve Your County: Be an Election Judge”
- Use off-the-shelf publishing software to create your own design.
- Use your jurisdiction's print shop to save on printing costs.
- Get a business or organization to donate the printing.





- Recruit a graphic artist (or graphic art student) to design your promotional materials.
- Request a high school art class to develop your materials.
- Ask State/county/municipal departments and community organizations to distribute your materials with their mailings.
- Consider whether to specify dates. Specific dates mean that the flyer or brochure will quickly become outdated. By not including specific dates, the reader does not have a timeframe for responding.
- Consider using two-color printing to make the materials more appealing. Two-color printing, however, can increase costs.
- Change your pitch from the general "Poll Workers Needed!" to something specific: how many workers are needed on Election Day, where they are needed, and short explanations of what they will be doing.

#### **The Mail: Targeted Postcards and Letters**

One jurisdiction reports that a single recruitment letter sent to all registered voters brought in all the poll worker recruits it needed. A mailing enables you to target certain hard-to-recruit areas, but it can be labor intensive if conducted in house or expensive if conducted by a mailing house. Read the following tips to help plan your mailing tool.

- Target the type of poll worker needed.
- Consider ways to make the mailing stand out from other pieces of bulk mail.
- Use the same recruitment messages used in PSAs and other advertisements.
- Write in a personal, conversational style.

*Sample #4. Johnson County, KS, Fact Flyer (page 65)*

*Sample #5. Johnson County, KS, Poster (page 66)*

*Sample #6. King County, WA, Poster (page 67)*

*Sample #7. Missouri/Truman Poster (page 68)*

*Sample #8. National Association of Secretaries of State "Help Carry the Torch" Poster (page 69)*

#### **Tips for Your Jurisdiction's Flyers and Brochures**

- *If possible, adapt the flyers or brochures to specific communities. Create versions of the flyers or brochures in languages other than English. Consider creating one version in large-font print for potential poll workers whose vision is poor.*
- *Code the brochures and flyers so you know where they were placed. When volunteers call to inquire about serving, ask them to provide the code.*

- Make sure the letter includes the requirements to serve as a poll worker.
- Be sure to mention the stipend.
- Be sure to specify what the recipient should do. If you want the recipient to mail a response card, consider enclosing a self-addressed mailer with the voter's information on a label.
- Ask the school system to send home a recruitment brochure or flyer that you provide. A "parent recruitment program" gives access to a younger set of potential poll workers who are engaged in the community. Establish good rapport with your school administration so you can put flyers or brochures in students' backpacks. Use a specific and compelling message that tells parents they are needed—and exactly where they are needed—in their community. Arrange to have your flyer distributed on a day when the material will stand out, so it will be less likely to land in the recycling bin.

#### Double Duty for Voter Registration Forms

A number of States and jurisdictions include checkboxes on the voter registration application and change of address form to indicate interest in serving as a poll worker. The checkboxes on the forms let those who are registering to vote know that they are also welcome and needed to serve at the polls. Other jurisdictions include this information in sample ballot booklets. Some election officials have told researchers that this practice, coupled with word-of-mouth efforts, yielded sufficient numbers of poll workers.

#### Signup Sheets at Polling Places

Election officials have also told researchers that placing signup sheets at polling places can be an effective method of attracting future poll workers. This approach can be as simple as placing a clipboard with signup sheets asking for the voter's name, address, and telephone number. Voters can sign up on the spot. Poll workers recruited in this way tend to already know some of their potential colleagues.

#### Electronic Media for Your Recruitment

##### Internet and Broadcast E-mail

Use Web technology to attract tech-savvy poll workers. Place recruitment messages on Web sites and use broadcast e-mail to invite people to serve as poll workers.

#### Tips for Recruiting From Voter Registration Forms

- *This method may require cooperation with the State election office.*
- *Jurisdictions need sufficient staff to follow up with people who check the box.*
- *This tool requires coordination between the voter registration staff and the poll worker recruiting staff. In jurisdictions using poll worker management software, a database query can produce a list of registrants who check the box.*

#### Pitfalls

*Election officials in focus groups reported that some people may check the box without really understanding what a poll worker does and lose interest when staff follow up.*

#### Tips for Recruiting From Signup Sheets at Polling Places

- *Include signup sheets on the polling place setup diagram or checklist.*
- *Place signup sheets strategically at all polling places.*
- *Train poll workers to point out signup sheets to all voters. Produce eye-catching sheets so poll workers will be reminded to pull them out of their supply packages.*
- *Consider asking potential poll workers for e-mail addresses as an additional way to follow up with them.*

### Web Sites

The election Web sites in most jurisdictions include a poll worker recruitment message. For the message to be most effective, consider the following ideas:

- Put the message on the home page.
- Give it a clear action title: "Be A Poll Worker!" is clearer than "Democracy in Action" and more compelling than "Poll Worker Information."
- Include specific facts, such as "It takes 13,000 citizens to run the polls in our county on Election Day."
- Use the same message on the Web site that you use in print brochures and PSAs.
- Link your message to additional information, such as—
  - An application that can be completed and submitted on line.
  - An overview of the poll worker's duties and the Election Day process.
  - A list of the benefits and requirements.
  - Testimonials from current or long-serving poll workers.
  - Training information—schedules; additional materials, such as exercises; or even online training programs.
- Track new poll workers who came to you via the Web site.
- Ask other organizations to place the poll worker recruitment message on their Web sites. Use these messages at strategic times—a few months before elections. Consider asking government agencies, community organizations and clubs, student groups, and neighborhood associations to help recruit poll workers.

*Sample #9. Full-Service Poll Worker Web Site, Arlington County, VA (page 70)*

*Sample #10. Web Site on Which Potential Poll Worker Enters Information Onto the Online Application (page 71)*

### Maximizing and Managing Online Applications

*Madison, WI, City Clerk Maribeth Witzel-Behl shared development plans currently under way to link an online application to her poll worker database. In an effort to entice young, savvy voters to serve as poll workers, the city has developed an online poll worker application. After an applicant submits his or her application, the homegrown poll worker management system bumps the application up against the appropriate home precinct of the poll worker. If the poll worker team needs a new member, applicants are advised that they are needed in their home precinct and that someone from the office will be contacting them. If the poll worker team is full, applicants are asked if they would be willing to travel to another precinct. The system also prioritizes those applicants who commit to serving more than one election.*

**E-mail**

- Use e-mail to recruit poll workers, but do not become a "spammer." Instead, ask partner organizations to send an e-mail recruitment message to their networks. You may compose a draft message that they can customize. For example, ask a business or government agency to include your recruitment message in one of their regular e-mails to their employees. Ask community organizations who e-mail their members to do the same.
- Keep e-mail address lists current; they tend to become obsolete more rapidly than direct-mail address lists. Be sure the organizations you are working with have a process for keeping their lists current. Devise a method for tracking whether e-mail outreach results in poll worker recruitment.

**Additional Tips for Recruitment on the Web**

- Consider purchasing ads on search engines (e.g., Yahoo, MSN, Google) that will display when the user searches with election-related terms; for example: vote, voter, register, election, elect, Election Day.
- Be sure to protect the integrity and good name of your election office when linking to another organization's Web site. Examine the Web site carefully. Be sure to approve your message and its placement before it is posted on the site. Consider including a disclaimer regarding the connection between the organization and the election office.
- Be creative. One election official, who was experiencing great difficulties in recruiting bilingual poll workers in a certain language, posted a detailed notice on *Craig's List* and was inundated with potential volunteers.

**Public Service Announcements**

Radio and television stations are required to donate air time for PSAs in exchange for their use of public airwaves. Many election officials have persuaded stations to dedicate some of this time to poll worker recruitment. Air time is a valuable commodity, so it is important to make the most of the 30 or 60 seconds you have to state your case.

Make a list of all local radio and television stations. The county public affairs officer can assist you with this. Establish a relationship with each station's public service director. Keep in touch even when you are not desperately trying to recruit poll

**Tips for Public Service Announcements**

- *Contact public access channels; many will air PSAs, and some may air poll worker training videos.*
- *Be specific about your needs.*
- *Give a phone number to call. Repeat the number.*
- *Target messages for radio and TV at 28 seconds for 30-second slots.*
- *Find a professional writer to make the message clear and concise.*
- *In large urban areas where the media market covers more than one jurisdiction, consider working with colleagues in neighboring jurisdictions to develop a message that works for everyone.*
- *Have adequate staff who are prepared to respond to phone inquiries in response to the PSA message. Direct overflow calls to a voice-mail message asking the caller to leave a specific message and/or to apply on line.*

*Sample #11. Radio Public Service Announcement Used in the Washington, DC, Metropolitan Area (page 72)*

workers—media staff change jobs at a rapid rate and you will want to know the person in charge of selecting which PSAs will air. Be certain to include minority and foreign-language radio and television stations.

Some radio and television stations will use their own staff to record the PSA, while other stations will accept pre-recorded PSAs. Producing your own PSA offers you greater creative control, but it can be costly, unless you have access to production equipment. Seek a sponsor to pay for producing your radio and television PSAs, or consider working with the local college or high school media production classes to create your advertisements.

#### **Media Coverage: Paid or Public Service**

Many election officials place paid advertisements in local newspapers asking for poll workers for an upcoming election.

Ads can be extremely effective if properly placed and worded. To catch the reader's attention, include specifics: number of poll workers required, locations to be served, skills required, time commitment.

#### **The Telephone**

The telephone is another effective electronic outreach tool. Some jurisdictions conduct phone drives to recruit poll workers from lists of registered voters. Phone drives have two big advantages: you can target hard-to-recruit areas and a personal request usually gets a better response than a broadcast message.

Other jurisdictions use their voice-mail message to urge callers to become poll workers. If you post a recruitment message on your voice-mail system, make sure the message includes directions ("Press 1 for our poll worker recruiter" or "Be sure to ask about serving as a poll worker when you speak to a staff member"). Also, direct staff on handling these calls. Callers who have to make a second call or who are transferred several times may lose interest.

#### **Common Outreach Tools for Your Recruitment Drive**

##### **Word-of-Mouth Recruitment**

Word-of-mouth recruitment is the simplest technique. Ask people in person if they would like to serve as poll workers.

#### **Tips for Media Coverage: Paid or Public Service**

- *Time the placement of your ads for maximum effect: close enough to Election Day so people have begun thinking about the election, but with time to reply to, screen, place, and train all who respond.*

- *Advertise in small local papers. They are likely to be less expensive, and you can target your audience.*

- *Arrange with the local newspaper to run a human-interest story about a poll worker. The article could be about: the worker who has served longest, the new citizen who is thrilled to be serving his new country in this way, or the high school student who is a first-time voter and wants to serve democracy.*

#### **Sample message:**

*"Lake County needs registered voters—especially voters who speak Spanish—to work at the polls for the September 12th Primary. Workers will receive a stipend for their service. If you are interested in this opportunity, leave your name, your address, and your telephone number and we will respond promptly."*

*Sample #12. News Coverage, Milwaukee Journal Sentinel, January 7, 2007 (page 73)*

Many election officials in small jurisdictions say this method is the only method they need.

Maximize your effort by mobilizing existing networks:

- Encourage current poll workers to recruit additional workers.
- Get on the agenda at local service and social organization meetings, such as local women's clubs and Kiwanis Clubs.
- Invite poll workers to bring a friend to training. Provide a special incentive for those whose friends sign up.

**Be aware of some disadvantages, however....**

- Word-of-mouth recruitment can be time consuming and labor intensive. It may not be effective if the people you ask are unwilling to serve where poll workers are needed.
- Word-of-mouth recruitment cannot help you reach a more diverse pool of poll workers than you already have. Use this kind of recruitment if you are satisfied with the demographics of your poll workers—age, gender, race, ethnicity, socioeconomic status, neighborhood representation, etc.

Recruiting poll workers through social networks is effective in jurisdictions of all sizes, but especially so in small communities.

#### **Community Outreach Committees**

Create an outreach committee that regularly brings together community leaders and activists to discuss election-related issues, identify new sources of poll workers, and provide feedback on the conduct of elections.

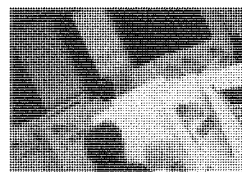
Committees can include representatives from the following community groups:

- Accessibility organizations (e.g., Center for Independent Living, local chapter of the American Federation of the Blind).
- Chambers of Commerce or business associations.
- Churches.
- Cultural organizations.
- Political parties.

*Sample #13. Letter From San Diego County, CA, Registrar of Voters (page 74)*



*"You've got to encourage the poll workers to ask voters if they'd like to work the polls. Just having a signup sheet didn't prove to be very effective. When we asked the poll workers to help us recruit by encouraging people to sign up, then we got results!"*



- Service organizations (e.g., Rotary Club, Kiwanis).
- Unions and associations (e.g., American Association of University Women, retired teachers associations, college alumni organizations).
- Voter education organizations (e.g. League of Women Voters, National Association for the Advancement of Colored People, National Association of Latino Elected Officials, Asian Pacific American Legal Center).
- Women's groups (e.g., Junior League).
- Youth groups (e.g., sororities, fraternities).

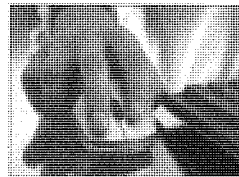
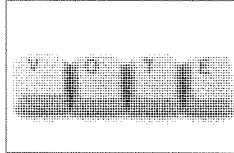
For the committee to be effective, a dedicated staff liaison from the committee must continually reach out, provide assistance, and monitor recruitment. Consider holding regularly scheduled meetings with agendas that inform and seek feedback from members on all aspects of election initiatives. Community outreach committees can be a good source for new methods of voter outreach, new methods of poll worker training, and even new voting systems.

#### Other Recruitment Ideas To Consider

##### Poll Worker "Draft": The Nebraska Model

One U.S. jurisdiction "drafts" poll workers in a manner similar to that of drafting people to serve jury duty. Nebraska law permits a county to draft citizens to serve as Election Day workers. Citizens whose names are drawn from the list of registered voters must serve in four elections. Any individual ordered to serve as an election official may not be subjected to discharge from employment, loss of base pay, overtime pay, sick leave, or vacation time, and may not be threatened with any such action. A person who fails to report on Election Day can be convicted of a Class III misdemeanor.

In 2000, Douglas County (Omaha) drafted 1,500 of its 2,500 Election Day workers. It was the only county in Nebraska to use drafted Election Day workers in 2000. This practice helped the county reach its recruitment goals, although it is not clear whether the general public approved this method. Voters recruited through a draft may be reluctant to serve and may not provide voters with a positive voting experience.



*Sample #14. Kansas City, MO, Signup Brochure at the Polls (page 75)*

*Sample #15. Montgomery County, MD, Signup Sheet at the Polls (page 76)*

### Outsourcing Your Recruitment Efforts

Consider contracting with professional recruiters—firms or individuals who specialize in filling temporary positions—or a contractor with extensive community contacts to conduct some or all of your poll worker recruitment. Most components of election administration must be carried out in house because they require election-specific expertise. Poll worker recruitment, however, can be carried out by professional recruiters with little or no expertise in this field. For best results, give your contractor clear directions and a realistic timetable and provide oversight of their recruiting process.

### Evaluating an Outsourcing Program

- Use records from previous elections to compare the numbers and types of poll workers recruited on various pre-election occasions.
- Set specific goals for the recruiter in advance. Will the recruiter be responsible for bringing in poll workers from the general public, from certain geographic areas, or to speak a certain language? Will the recruiter be responsible for following up with potential poll workers to encourage them to serve in certain areas of the jurisdiction or to encourage them to attend training?
- Track whether recruits brought in by the outside recruiter are any more likely to be placed on a poll worker team, attend training, or serve in more than one election.

### Tips for Outsourcing Poll Worker Recruitment

- Hire recruiters to recruit all poll workers or just one segment, such as bilingual or student poll workers.
- Hire recruiters as independent consultants or as temporary staff.
- Include a variety of recruiters' tasks: speaking to volunteer groups, staffing booths at public events, developing recruiting materials, or doing poll worker intake duties.
- Determine the number of recruiters you need based on the number of poll workers you need. The number of recruiters can range from 1 to 50.

### Outsourcing Poll Worker Recruitment Can—

- Free up staff time and energy for other priorities.
- Tap into a fresh, potentially extensive, network of contacts in the community.
- Access expert techniques that bring in new people and retain them for multiple elections.
- Help your recruitment staff pick up new contacts who will energize their efforts next time.

*Beware of the pitfalls and challenges to this approach. The cost of outsourcing a recruiting effort may be greater than doing the recruiting in house. Consider a pilot program and weigh the benefits.*



## Chapter 2: Recruiting High School Students

21

### In This Chapter

- Benefits of High School Recruitment
- Pitfalls and Challenges
- Resources Needed
- Adapting the Program to Your Jurisdiction
- Tips
- How To Evaluate Your Program

High school poll worker programs can be an exciting way to bring new faces into the poll worker pool and to engage young people in their communities. The key is to create long-term partnerships with high school administrators and teachers to repeatedly recruit high school students to serve at polling places in their communities.

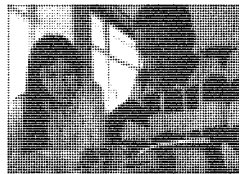
A number of States have statutes allowing high school students to serve as poll workers. Most of the statutes enable students to serve on Election Day as regular poll workers, helping to set up the polling places, assisting voters with signing in, issuing ballots, and helping to close the polls. Other statutory models are more restrictive and do not permit students to assist in processing ballots.

Some models require that a student be a high school senior, at least 16 years old, and with a minimum grade point average. In most cases, the student must be nominated or appointed by a teacher or principal and must obtain permission from parents or custodians.

#### Benefits of High School Recruitment

##### For Election Officials

- Students have a commitment to their teachers and parents to serve and, therefore, are likely to show up.
- Students are in "learning mode" and will easily grasp complex election procedures.
- Students bring new energy and vitality to a long-established poll worker team.
- Students are likely to be comfortable with technology.
- Bilingual students can be a great bonus to a precinct team.



*"Our young people working at the polls have brought an energy and excitement that is infectious with not only our elderly poll workers but has also helped change the complexion of the polling location to show that young people are committed."*

—Gary J. Smith, Director of Elections and Registration, Forsyth County, GA

#### For Participating Students

- Students receive a hands-on community service opportunity.
- Students may receive the poll worker stipend.
- Many teachers offer extra credit to students for attending the training and for drafting a report on their Election Day experiences.
- Participation looks good on college and job applications.
- The community-service element might fulfill a graduation requirement.

#### For Participating High Schools

Teachers have been positive about student poll worker programs because they complement students' in-class civics curriculum.

#### Pitfalls and Challenges

High school poll worker programs often require the following:

- Regular communication with administrators and teachers.
- Extra time to prepare students for the voting experience.
- Preparatory steps before a student poll worker can be placed on a poll worker team, including, in many jurisdictions, nomination forms and parental authorization. Some jurisdictions have to limit the number of students who could be nominated from any one school because the community surrounding the school has limited poll worker needs.
- Assistance with transportation, if students do not have cars or other transportation to their assigned polling places.

#### Resources Needed

- A point person at the election office.
- A customized brochure or introductory packet; customized signup form.
- Statutory authorization, because most students will not be of voting age.
- Authorization from a jurisdiction's chief administrative officer or board of supervisors or directors.

#### The Key to Gary's Success

*Election officials who implement student poll worker programs say that, although the program is a lot of work, it does help bring new energy and new faces to their Election Day team. But many of these election officials expressed frustration with recruiting enough students to serve before and during the summer months (i.e., primary and special elections).*

*Gary J. Smith is director of elections and registration for Forsyth County, GA. Forsyth County began its high school program in 2002. By the primary 2004 election, Forsyth County's goal was to use high school students as one-third of its poll workers...and they succeeded.*

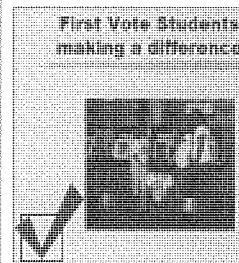
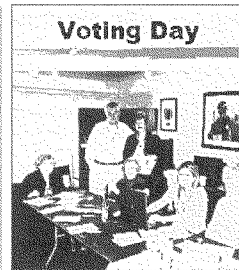
*Gary attributes customized training as one factor in their success in having a large number of students serve in an August primary. Training the students in a familiar setting with their peers promotes a level of comfort. Making an effort to customize training and adding a broader civics theme show the partnering teacher that the election official is committed to the larger idea of the program—not only to fill poll worker shortages, but to promote life-long engagement in the voting process.*

### Adapting the Program to Your Jurisdiction

- For jurisdictions that face particular challenges in recruiting poll workers in lower income areas, a high school poll worker program can be invaluable, especially in those States where poll workers must reside in the assigned precinct.
- **Warning!!** You may need to use different strategies for elections held when school is not in session.

### Tips

- **Offer onsite or special training for the students.** Poll worker training classes are geared to experienced voters, but many high school poll workers will not be familiar with the setup of a polling place or how a vote is cast. A customized inclass voter outreach presentation provides an opportunity for students to ask the "big picture" questions in the company of their peers. Some jurisdictions offer onsite training for schools with 20 or more participating students.
- **Check in annually with each school and remind them when it is time to recruit again.** Also discuss ways to highlight their contributions by publicizing their efforts.
- **A good school liaison is the key to success.** Your teachers will be your invaluable partners from election to election. The program can be a lot of work for the teacher, who must answer students' questions, forward nomination forms, encourage students to attend training (or host the training), and follow up with students who served. Certificates of appreciation can acknowledge their efforts.
- **Bonus Tip: \$\$\$\$!** One jurisdiction began to provide the equivalent of a poll worker stipend to the high school teachers who regularly coordinate the program in their community.
- **Students can be motivated by learning about other students who have served as poll workers.** If possible, provide students with photos and quotes from graduates who participated in the program.
- **Some veteran poll workers might not appreciate having a student poll worker on their team.** They may assign students an uninteresting task, such as handing out "I VOTED" stickers all day. Suggest to the lead poll worker that substantive or varied Election Day tasks can make a huge difference in the student poll worker's experience.



Photos courtesy of Gary J. Smith,  
Director of Elections and Registration,  
Forsyth County, GA.

#### How To Evaluate Your Program

- Record how many students were nominated and served from each school.
- Feedback from teachers, participating students, and poll workers who served with students is critical in assessing the success of the program. Including them in a post-election evaluation of the program can yield valuable insights about the program and ways to improve it. Expand your support team by including the parents of participating students.



## Chapter 3 Recruiting College Students

25

### In This Chapter

- Benefits of College Recruitment
- Resources Needed
- Adapting the Program to Your Jurisdiction
- Tips
- How To Evaluate Your Program

College poll worker programs partner with college administrators and professors to recruit college students to serve at polling places on Election Day.

#### Benefits of College Recruitment

##### For Election Officials

- Students have made a commitment to their professor and are likely to show up.
- Students are likely to be comfortable with technology.
- Bilingual students can be a great bonus to a precinct team.

##### For Participating Colleges

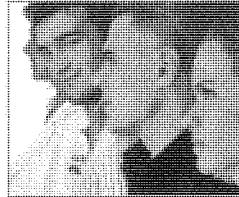
Professors often appreciate the opportunity they can offer students.

##### For Participating Students

Students receive valuable hands-on community service opportunity. Students receive the poll worker stipend, and many professors offer extra credit to students for participating in the program and writing a report on their Election Day experiences.

#### Resources Needed

A point person at the election office with brochures and signup forms.



#### ***EAC Guidebook on College Poll Worker Programs***

##### ***A Great Resource!***

- A Guidebook for Recruiting College Poll Workers *examines formal and informal college poll worker programs across the United States from the viewpoint of election officials, college administrators, professors, and students.*

### Adapting the Program to Your Jurisdiction

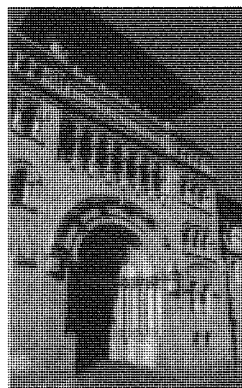
A college poll worker program can be especially beneficial if it is located in hard-to-recruit precincts and in States that mandate that poll workers must reside in the assigned precinct.

#### Tips

- **Offer Onsite Training.** Poll worker training classes are geared to experienced voters. A customized inclass voter outreach presentation provides an opportunity for students to ask questions. Onsite training means that more time can be spent showing the students what a polling place looks like, explaining its basic functions, and offering information on who can vote or serve as a poll worker. Some jurisdictions offer onsite training to schools with 20 or more participating students.
- **Check In Regularly With Colleges and Universities.** Remind them when it is time to recruit again.

### How To Evaluate Your Program

Feedback from professors, participating students, and experienced poll workers who served with students is critical to assessing the program. A post-election evaluation with these stakeholders can yield valuable insights on your program and suggest ways to improve it.



## Chapter 4. Recruiting Bilingual Poll Workers

27

### In This Chapter

- Federal Requirements Regarding Bilingual Poll Workers
- Benefits of Bilingual Poll Workers
- Benefits of Partnering With Civic Organizations To Recruit Bilingual Poll Workers
- Identifying Specific Needs
- Tips
- Pitfalls and Challenges
- How To Evaluate Your Program

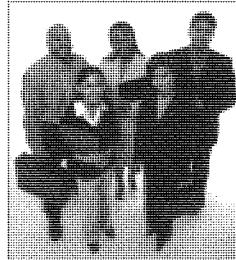
All adult citizens are entitled to register to vote, to understand the details of the election and voting processes, and to cast a well-informed, free, and effective ballot. Toward this end, more than 450 election jurisdictions across the United States are required to ensure that election information printed in English is also available in one or more other languages.

Nationwide, 466 local jurisdictions in 31 States are required to provide language assistance. Of this total, 102 jurisdictions in 18 States assist Native Americans or Alaska Natives; 17 jurisdictions in 7 States assist Asian language speakers; and 392 jurisdictions in 20 States assist Spanish speakers. Some jurisdictions are required to offer assistance in multiple languages; many more do this voluntarily.

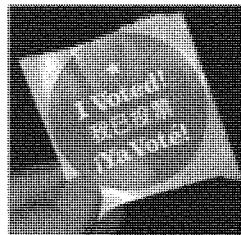
#### Federal Requirements Regarding Bilingual Poll Workers

Section 203 of the Voting Rights Act requires certain jurisdictions to make language assistance available at polling locations for citizens with limited English proficiency.

- **Section 203 Coverage Formula**  
A jurisdiction is covered under Section 203 where the number of United States citizens of voting age is a single language group within the jurisdiction—
  - Is more than 10,000; or
  - Is more than 5 percent of all voting citizens; or
  - On an Indian reservation, exceeds 5 percent of all reservation residents; and
  - The illiteracy rate of the group is higher than the national illiteracy rate.



- Every 10 years, the U.S. Census Bureau develops a list of Section 203 jurisdictions that is reported in the *Federal Register*. The 2000 list was posted in June 2002 and can be viewed at [www.usdoj.gov/crt/voting/sec\\_203/203\\_notice.pdf](http://www.usdoj.gov/crt/voting/sec_203/203_notice.pdf).
- Registration and voting materials for all elections must be provided in the minority language, as well as in English. Section 203 requires certain jurisdictions to provide bilingual election assistance—including notices, instructions, information, and ballots—to citizens who are members of a designated language minority group and who have limited English proficiency.



#### Benefits of Bilingual Poll Workers

- Bilingual poll workers provide a valuable service to voters who are not proficient in English. Limited-English voters are able to vote more confidently when they understand the voting process and can make informed decisions on ballot issues.
- Most poll workers welcome bilingual poll workers to the precinct team.
- Bilingual poll workers have told researchers that they enjoy the opportunity to serve their community.
- Assigning bilingual poll workers to a precinct can help it run more smoothly on Election Day. Voters who need extra assistance can slow down the voting procedures. A friendly face and a common language spoken by a bilingual poll worker can help streamline such proceedings.

#### Benefits of Partnering With Civic Organizations To Recruit Bilingual Poll Workers

One way to recruit bilingual poll workers is to work with civic organizations. Recruiting over the phone is generally ineffective. A personal connection—through family, community members, or community leaders—is more important.

Election officials who recruit bilingual poll workers do so through presentations and information booths at community centers, job fairs, churches, health fairs, and meetings of community service groups. Election officials also use messages distributed through community service groups<sup>7</sup>

*Sample #17. King County, WA, "Ask Me: I Speak Chinese" Button (page 78)*



newsletters. Many election officials have found that partnering with community organizations can be very effective.

#### Tips for Making the Most of These Partnerships

- **Be Specific in Your Request.** Explain the need for bilingual poll workers to community outreach leaders. Tell them what language or dialect is needed, when the poll workers will be needed, the hours involved, and the duties or positions. Request a specific number of bilingual persons to serve on Election Day.
- **Educate Your Partners.** The general public often does not know that ordinary citizens can serve as poll workers, that training is required, or that materials are available in a variety of languages.
- **Be Open to Community Feedback.** Community groups can be valuable recruiting partners and can also provide insightful feedback. You may hear important voting-related community issues that need to be addressed.
- **Use the Internet.** Ask professional organizations in the community to post your recruitment announcement on their Web sites or in their e-newsletters.



#### Identifying Specific Needs

The first step in a bilingual poll worker program is to identify how many bilingual poll workers are needed and at what locations.

#### A System for Identifying the Need for Bilingual Poll Workers

- **Census Data.** Although census data can be found at the local level, such data may not follow precinct lines. Some jurisdictions work with Geographic Information Systems (GIS) staff or with a vendor to provide assistance in locating demographic information at the jurisdiction level.
- **Voter Requests on File.** Election officials can track requests from voters for language assistance in several ways.
  - Include a check box on voter registration forms for voters with limited-English proficiency to request translated materials.

Sample #18. Los Angeles County, CA, Multilingual Tally Card  
(page 79)

- Advertise a designated phone number where an operator with minority-language skills can assist voters whose English is limited.
- **Tracking Voters at Polls.** Consider providing a tally card at each polling place for poll workers to record those voters requesting language assistance.
- **Input From Community-Based Organizations.** If a community partner organization suggests that a neighborhood has specific minority-language needs, ask poll workers to track this information over several elections. In addition, ask bilingual poll workers to record the number of voters they assisted.
- **Dialect Surveys.** You may need to consider dialects within languages. For example, both Cantonese and Mandarin speakers can read Chinese written characters, but a speaker of Cantonese finds it difficult to understand a Mandarin speaker. Consider conducting a phone or postcard survey of minority-language speakers for whom regional dialects may be an issue. Then place dialect speakers in the precincts where they are needed.
- **Other Measures.** Consider providing a toll-free or dedicated line so that limited-English voters can call to request language assistance and the location of their polling place. Advertise in minority-language community newspapers, and use flyers in the appropriate language announcing that a voter can call a specific phone number to request translated materials.
- **Brochures.** A brochure in each jurisdiction's mandated languages can be helpful. The brochure can advise limited-English voters how to request translated materials, explain how to request assistance at their polling place, and provide contact information of partner organizations that can assist. This brochure can be distributed at community events, through community libraries, and schools, etc.



#### Tips

- Hiring one or more bilingual speakers from the community to recruit poll workers can be one of the most effective ways to recruit bilingual speakers.
- As with the general public, minority-language speakers often do not know that poll workers are needed, how to become a poll worker, or the time commitment involved.

*Sample #19. King County, WA, "Play a Role in Delivering Democracy" Flyer (page 80)*

Stress to minority-language speakers that they can become poll workers, too.

- Minority-language media (TV, radio) can be terrific partners in publicizing the need for bilingual poll workers. Invite them to press conferences, and describe how and where bilingual poll workers are needed.
- Target high schools and colleges attended by bilingual students. Form relationships with administrators, teachers or professors, and student organizations. Arrange to make presentations and distribute recruiting materials to bilingual students.
- Target public sector (State, county, municipal) bilingual employees. Some governmental agencies provide a bonus to employees who speak a second language (i.e. court recorders, social workers, health workers) and may be willing to share their lists.
- Consider sending a postcard to current poll workers asking if they speak a second language and if they would be interested in serving in a polling place where that language often is spoken.

*"It sends a very positive message to the minority language communities when they see staff members in the office who look like them, can speak their language, and can relate to their experiences and concerns. Speaking from personal experience, I have found that it is much easier to recruit and retain poll workers—especially bilingual ones from the minority language communities—when they feel a special connection to a staff member in the office, or when they feel that they would be representing their community by signing up to work at the polls."*

—Helen Y. Wong, Language Coordinator, Boston Election Department

#### Pitfalls and Challenges

- Recruiting bilingual poll workers presents all the challenges of recruiting other poll workers, plus a few more. Bilingual poll workers must also speak English well enough to explain election procedures to English-only voters.
- Some voters—or even established poll workers—may not welcome bilingual poll workers, especially if they think that only English should be spoken at the polls. To address these concerns, provide information about how important it is that all citizens have the opportunity to fully participate in elections. Remind poll workers that "this is the law."
- Cost. Some jurisdictions have found multilingual voter (MLV) programs to be expensive.
- For a glossary of election terms in Spanish, visit [www.eac.gov/voter](http://www.eac.gov/voter).

Sample #20. "ML Requests on File" Tracking Chart, Los Angeles County, CA (Excel spreadsheet and bar chart) (page 81)

### How To Evaluate Your Program

- Keep track of voters who apply to serve as bilingual poll workers and monitor how many are placed on a precinct team. Assess the reasons that some applicants do not actually serve. This may help you adapt your outreach efforts, improve your message, and help recruiters improve their results.
- Monitor training attendance by the bilingual recruits. Consider phoning a sampling of bilingual poll workers to ask if they found the training valuable or if they have any questions.
- Election Day monitoring is critical. On Election Day have specially trained troubleshooters visit a number of polling places to check on operations and to troubleshoot any problems they encounter.

#### Model A. Media Outreach From King County, WA, Board of Elections

##### Model. Working With the Media, Boston CBS-4 "2006 State Elections," August 19, 2006, Yadires Nova-Salcedo, Reporting

*(CBS-4) State elections are coming up this September and November, and the City of Boston is expecting as many voters as possible to go out there and perform their civic duty. Now, to make sure that all of the registered voters fully understand the process, the Boston Election Department is looking for poll workers who can speak Spanish and many other languages. CBS-4's Yadires Nova-Salcedo talks with Helen Wong, Language Coordinator for the Boston Election Department. Tune in!*

*For more information or to get yourself an application to become a poll worker, you can call the Boston Election Department at 617-635-4491. (© MMVI, CBS Broadcasting Inc. All Rights Reserved.)*

##### Model. Sample Web Sites Providing Translated Election Materials and Voter Information

- **New York:** ([www.vote.nyc.ny.us/](http://www.vote.nyc.ny.us/))
- **Los Angeles:** ([www.lavote.net/](http://www.lavote.net/))

*"We had to think 'out of the box' to meet our bilingual-speaking poll worker numbers, and I'm proud to say in 2005 we had a 92 percent placement for the fall cycle, and for the 2006 September Primary we had 100 percent placement for our targeted polling locations. We owe that credit to the TV ad we ran featuring our former Governor Gary Locke, the first Chinese-American governor in the United States. We paid to have the ads run during the top-rated Chinese television shows on an all-Chinese TV station here in Seattle called AATV. The top rated shows are a soap opera and the 10 p.m. news. The station threw in two additional runs throughout the day as 'community service' to their audience.*

*"The most success we've had in recruiting bilingual poll workers and placing ads is to have our minority language compliance coordinators do the pitching and recruiting and request additional coverage at no charge as a public service to the community. People are much more eager to help when asked by someone they relate to, or a friend of a friend of a friend. While this is also effective for all recruitment efforts, we've found it essential in recruiting bilingual speaking poll workers."*

*—Bobbie Egan / Colleen Kwan, King County, WA, Elections Division*



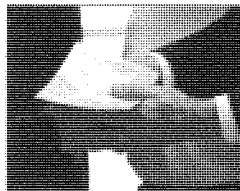
*CBS-4's Yadires Nova-Salcedo talks with Helen Wong, Language Coordinator for the Boston Election Department.*

## Chapter 5. Working With Businesses

33

### In This Chapter

- Benefits of Working With Business
- Pitfalls and Challenges
- Resources Needed
- Tips
- How To Evaluate Your Program



Ask businesses to recruit and encourage employees to serve at the polls on Election Day—if possible, without losing their regular income (e.g. using administrative leave or service leave). These workers usually receive the poll worker stipend in addition to their regular salary.

#### Benefits of Working With Business

Participating companies often contribute to the communities in which they do business. A poll worker facilitator program enables them to give back to the community without incurring additional expenditures (because salaries are already budgeted). Many employees enjoy serving as poll workers and may be repeat volunteers and also provide word-of-mouth recruitment within their business. Employees who served as poll workers often said they felt a sense of camaraderie in their workplace. Some of these poll workers donate their stipend to a community charity or to a charity relevant to the business.

Participating employees in Franklin County, OH, said they enjoyed the break in their routine and a sense of satisfaction from serving and getting to know their community better.

Poll workers who are serving on company time have an added incentive to show up on Election Day—the reputation of their company is on the line. Election officials report that these poll workers seem especially flexible. They are willing to travel to areas of the jurisdiction where last-minute vacancies have occurred or where troubleshooters are needed. Some corporate employees like to take on this new responsibility as a challenge, setting the tone for the troubleshooter team.

Corporate poll worker programs can also be an effective way to recruit younger, more technologically savvy poll workers.

#### Pitfalls and Challenges

- Some corporate poll workers may become impatient if their calls to volunteer do not receive a prompt response.

They may also be critical of ill-prepared training programs if they have participated in high-quality corporate training programs.

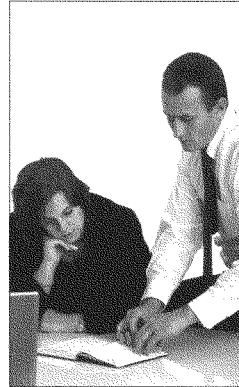
- Some corporate poll workers need regular reminders to maintain their involvement and generate ongoing support within the business community. Be aware that your jurisdiction's relationship with some corporate entities may change with shifts in management.
- Corporate programs can occasionally raise political challenges. For instance, if a participating corporation has an interest in an issue appearing on the ballot, there could be an appearance of impropriety.

#### Resources Needed

- Point person at election office.
- Brochure or introductory packet with letter to corporate leader or human resources department.
- Poll worker application form.
- Possibly authorization from jurisdiction's chief administrative officer or board of supervisors.

#### Tips

- Ask the local Chamber of Commerce for their support and ideas. Consider sending a joint letter to the Chamber's mailing list, describing the corporate poll worker program and the requirements for being a poll worker. Encourage businesses to allow their staff to serve as poll workers without having to use personal or annual leave. Providing a brief presentation at periodic gatherings can also yield positive results.
- Engage a high-profile elected official or leader from the jurisdiction (such as a county executive or county supervisor) to serve as spokesperson for the program. Such leaders may open doors by sending a letter of introduction.
- Use a long lead time when working with other corporations. Have a brief introductory statement detailing the process the corporations and their employees should follow to get involved, the specific duties of poll workers, and the time commitment that will be necessary. After Election Day, report to the corporations how many of their workers served at the polls.



#### Additional Tips

- *Corporate poll workers may request the opportunity to split a shift. Jurisdictions may want to find a way to make this possible (see Chapter 10, Offering a Split-Shift Option).*
- *Competition can add to the success of the program. For example, in one county, the regional banks began to compete among themselves to provide the most poll workers. Election officials may try a pilot program with two competitive businesses.*

- Tell potential workers if you intend to ask them to travel outside their immediate neighborhoods to serve.
- Offer onsite training. This not only makes volunteering easier for employees but also allows for an additional opportunity to recruit from the company. Some jurisdictions provide onsite training if the participating company supplies 25 or more poll workers.
- Create a catchy title for the program. One jurisdiction calls its corporate poll worker program, "Champions of Democracy."
- Check in annually with each corporation and remind them when it is time to recruit again. Discuss ways to highlight their contribution by publicizing their efforts both internally and externally.
- Allow corporation employees to wear attire with the company logo. In Franklin County, OH, some companies made shirts especially for this program. The *Columbus Dispatch* had shirts made with "Columbus Dispatch, Champions of Democracy" on them.
- Consider publicly recognizing every participant in the program with an ad in the local paper and a certificate to the corporation.

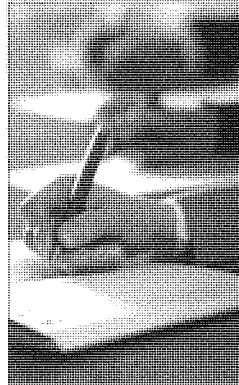
#### How To Evaluate Your Program

- Create a field in your database to track the businesses or corporations that provide potential poll workers and the employees who serve on Election Day. Participating corporations may set up their own database and submit it periodically to the election official throughout the recruiting period. Corporations may use the information to monitor which employees served on Election Day and to recognize them.
- Distribute a survey to participants asking for feedback on how to make the recruiting and training more effective. Be sure to share feedback with your contact person at the corporation or business.

Sample #21. *Making Voting Popular (MVP) Thank-You Letter to Corporate Partner, Kansas City, MO* (page 82)

Sample #22. *Champions of Democracy Letter to Participant, Franklin County, OH* (page 83)

Sample #23. *Certificate of Completion, Wayne Community College, Detroit, MI* (page 84)



*"I was so very grateful that my company made it so easy for me to get training and to be able to participate, giving us the day off, and making it so convenient for us to participate."*

—Molly Miller, American Electric Power Company, Columbus, OH, Take a Day for Democracy video.

## Chapter 6. Working With Organizations

37

### In This Chapter

- Benefits of Working With Civic and Charitable Organizations
- Resources Needed
- Pitfalls and Challenges
- Adapting the Program to Your Jurisdiction
- Tips
- How To Evaluate Your Program

Civic and charitable organizations, whose members are dedicated to community service, can be valuable sources of poll workers.

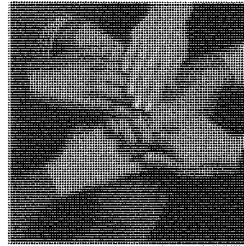
The approach in one model is to ask one organization to recruit enough poll workers to fully staff one or several polling places. Some jurisdictions refer to this as the "Adopt-a-Poll" model. Organizations tend to prefer this approach because their members can serve together and can advertise their presence by wearing the group's nonpartisan insignia. In another model, the approach is to ask the organization to help with your general recruitment efforts. With a third model, the approach is to arrange for the organization to receive its poll workers' stipends as a donation. This program provides a popular fundraising tool.

The more specific your request for help, the more likely you will get a positive response. Explain the need for poll workers to the community service chairperson. Give specific details: when, why, duties and positions, and equipment required. Request a specific number of people to serve on Election Day. Explain your expectations clearly and thoroughly.

It may be necessary to educate the civic group on the role of and need for poll workers by speaking at one of their regular meetings. The general public is often unaware that ordinary citizens can serve as poll workers or that training is required.

#### Benefits of Working With Civic and Charitable Organizations

- Increase both poll worker recruitment outreach and the number of polling places that are fully staffed on Election Day.
- Increase community awareness of the need for poll workers and their functions on Election Day and about election administration in general.



*"The motivational message that would work best with us as members of Rotary is that we would really be filling a need. We would also need to know where you need us and what you need us to do."*

—Carol Foley, District 7610,  
Rotary International



- Increase the effectiveness of all your recruitment efforts as you develop and communicate targeted recruitment messages.

#### Resources Needed

The current resources of your election office will be sufficient as you develop and test this program. Eventually you may decide to dedicate staff to civic and charitable organization recruitment.

#### Pitfalls and Challenges

- Maintain your relationship with the organization between elections. Ask for feedback on their members' experiences as poll workers and on the training they received. Attend the group's general meeting to report on Election Day and effectiveness of their participation. Be sure to thank them for their help. Send a quarterly newsletter describing your activities.
- Sometimes a group will promise more than it can deliver, which could leave you in a bind at the last minute. Initially, test this program at one or two polling places. Build this relationship over several elections.
- Finding civic, community, and charitable groups with which to partner can be difficult. A community volunteer center or the local Chamber of Commerce can be a helpful resource. One jurisdiction made a successful start by reaching out to churches, which often serve as polling places.

#### Adapting the Program to Your Jurisdiction

- Recruiting poll workers from civic and charitable groups may be easier in larger jurisdictions, which are more likely to have a volunteer center with contact information for all the nonprofits in the area.
- In most jurisdictions, it will be necessary to talk to many people to discover organizations you do not know. Look for civic groups; fraternities and sororities (undergraduate and graduate chapters); college and university alumni clubs, professional associations; auxiliaries; church groups; neighborhood associations; interfaith groups; civil rights groups; social and dance clubs; youth athletic organizations (to reach the parents); and running, biking, or rowing clubs.

***Here's what civic groups and volunteer centers want election administrators to know about recruiting poll workers from charitable organizations:***

***If you want us to work for you, tell us . . .***

#### • ***Why you need us***

*Members of civic groups want to serve the community, but do not know much about what is involved in casting a ballot. Explain how they fit into the big picture.*

#### • ***What you need us to do, when, and where***

*The more specific you are the better, so people can assess their ability to fulfill a commitment before they make it.*

#### • ***How we will know what to do***

*Most people will appreciate training because they want to do a good job, uphold the good name of their organization, and make a difference.*

#### • ***Who we will work with and report to***

*People want to do a good job and be able to solve problems. Knowing the chain of command reassures them that they will not be "making it up on the fly."*

### Tips

- Develop a strong working relationship with a few groups at first and hold strategy meetings to anticipate problems and solutions. This effort will foster commitment from the groups and provide good information for reaching out to other groups.
- Require from potential poll workers from civic groups what you require of any poll worker—complete applications, meet eligibility requirements, take the training course, submit an evaluation or time sheet, etc.
- Ease the organizations into your jurisdiction. In the first year, place the groups' recruits in precincts where they can work with, and learn from, experienced poll workers.
- In a "help wanted" section on the election jurisdiction's Web site, include a description of the program, requirements for participating organizations and individuals, and forms that must be submitted.
- Be careful not to displace established teams of long-serving, knowledgeable poll workers with new teams from civic organizations. One jurisdiction mixes new and seasoned poll workers. Another jurisdiction lets a civic group "fly solo" after working one election with an experienced team.

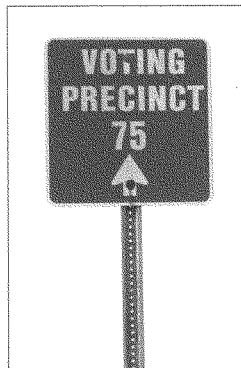
### How To Evaluate Your Program

Monitor poll workers provided by civic and charitable groups. On Election Day, have specially trained and experienced poll workers serve as roving troubleshooters. Such persons can visit a number of polling places to check on operations and deal with any problems they encounter. Consider hosting a post-election meeting with representatives of the groups to solicit their feedback.

Sample #24. Letter to Churches, Cuyahoga County, OH (page 85)

Sample #25. Sample Notice for Church Bulletin, Cuyahoga County, OH (page 86)

Sample #26. Making Voting Popular Recruiting Letter to Participating Organizations, KS/MO Metropolitan Area (page 87)



*"We provide one poll worker for each precinct to operate our laptop computers to handle voter verification, address changes, polling place directions, etc. The county gives them time off for the training. They take a personal day off on Election Day but are paid by our office to work Election Day."*

—Bill Cowles, Orange County, FL

## Chapter 7 Working With Government Employees

41

### In This Chapter

- Benefits
- Resources Needed
- Pitfalls and Challenges
- Innovations
- Tips
- How To Evaluate Your Program

The public sector is a good source of poll workers. Recruiting them is especially effective in places where Election Day is a State holiday (usually General Election only) or where county employees can work at the polls on Election Day. In both cases, public sector employees are not required to use personal or vacation time to serve as poll workers, and they have the incentive of receiving both their regular salary and the poll worker stipend.

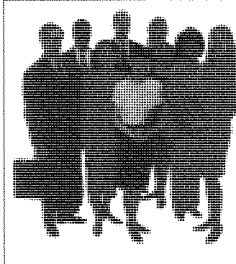
- Recruiting tactics include putting flyers in paycheck envelopes, posting flyers around common spaces, setting up recruitment tables in cafeterias, and sending e-mails. Usually, employees must obtain their supervisor's approval.
- County poll worker, city poll worker, and State poll worker programs are popular with employees and provide participants an opportunity for community service.

#### Benefits

- **Benefits for Participating Employees.** Employees enjoy the break in their routine and derive a sense of satisfaction from serving their community.
- **Benefits for Election Officials.** Public sector employees who have applied for and obtained approval from supervisors to serve have an added incentive to show up on Election Day.

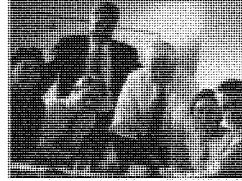
Public sector poll workers may be willing to travel to areas where there are vacancies or a particular need for troubleshooters. Some public sector employees like to take on this new responsibility as a challenge, setting a tone for your troubleshooter team.

Public sector poll worker programs can be an effective way to recruit younger, more technologically savvy poll workers. Public sector employee programs may also be a good source of bilingual poll workers.



#### Resources Needed

- Point person at the election office.
- Brochure or introductory letter with information packet to agency director or human resources department.
- Signup form.
- Authorization from your jurisdiction's chief administrative officer or board of supervisors/directors.



#### Pitfalls and Challenges

- Government employee poll worker programs can take time to set up. Relationships with relevant public sector managers require regular communication to maintain collaboration and generate ongoing support.
- Public sector employees may seem no more willing than neighborhood-based poll workers to go to a polling place other than their own.
- There will be natural attrition. Public sector employees retire, leave public service, or go on long-term leave.
- Public sector managers need assurance that there will not be a drain on critical agency functions on Election Day.
- There could be a real or perceived conflict of interest if an employee is a political appointee. Check the law in your jurisdiction.
- Be aware that, in some jurisdictions, government employees may be expected to take a day off to help with get-out-the-vote activities.

#### Innovations

- Some jurisdictions are so supportive of the recruiting effort that department or agency "very important persons" (VIPs) volunteer to serve as poll workers, allowing a jurisdiction's VIPs and department heads to lead by example.
- Employee information technology staffers can be great troubleshooters, serving in the early morning to get polling places up and running and as evening support for closing polls or getting results to counting centers.

#### Tips

- Flyers included in employee paycheck envelopes often get better results than posted or hand-distributed ones.
- Engage a high-profile elected official or political leader to serve as spokesperson for the program. These leaders may open doors by sending a letter of introduction for the election official to follow up.
- Prepare a brief statement detailing poll worker duties, time commitments, and the possibility that they may be asked to serve outside their own neighborhoods. Report to the agencies whether their employees actually served on Election Day.
- Offer onsite training. This not only makes volunteering easier for the employees, but it also allows for an additional opportunity to recruit from the government agency.
- Check in annually with a representative at each public agency and remind him or her when it is time to recruit again. Discuss ways to highlight their contributions by publicizing their efforts both internally and externally or invite them to a post-election recognition event.
- Incumbents may not serve as poll workers if they are on the ballot.
- Some department or agency VIPs serve as poll workers, leading by example.

#### How To Evaluate Your Program

- Create a field in your database to track which agencies provide potential poll workers and which of these employees serve on Election Day. A participating agency may set up a database and make it available to the election official during the recruiting period or it may access your database to verify which of its employees served on Election Day.
- Distribute a survey to recruits, asking for feedback on how to make the recruiting and training more effective. Share the responses with the contact person at the agency.

*Sample #27. Mayor's Letter to City Managers, Milwaukee, WI (page 88)*

*Sample #28. Board of Commissioners Resolution Creating a County Poll Worker Program, Cuyahoga County, OH (pages 89-90)*

*A stumbling block for some counties has been eligibility for overtime for public-sector poll workers. Several county councils have advised that "employees... would not be eligible for overtime as they would be considered 'occasional and sporadic' employees for purposes of the Fair Labor Standards Act."*

## Chapter 8. Recruiting Poll Workers With Disabilities

45

### In This Chapter

- Benefits of Recruiting Poll Workers With Disabilities
- Resources Needed
- Pitfalls and Challenges
- Tips for Successful Implementation
- Evaluation

The Help America Vote Act of 2002 (HAVA) contains provisions and funding to ensure that voters with disabilities can cast their ballots privately and independently at the polling place on Election Day. Election jurisdictions are spending millions of dollars on voting equipment that ensures accessibility to the polling place and the voting process.

Encouraging citizens with disabilities to exercise their right to cast a secret ballot, election officials need to take other steps to make the polling place accessible, and welcoming. Employing physically challenged poll workers sends a strong message to all voters that they are part of the democratic process.

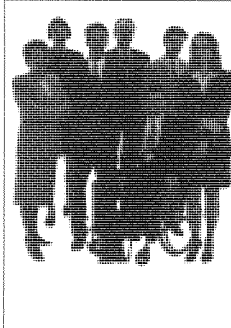
If recruiting and hiring poll workers with disabilities seems daunting, consider this: most election jurisdictions already employ poll workers with disabilities. Most disabilities are invisible to the average person. But given the average age of poll workers, many will already have mobility and vision problems. If your voter registration records indicate voters with disabilities, you could send a recruitment notice to those voters. (If your current voter registration form does not ask for this information, request a change in the design of the registration form.)

**There are two models for recruiting poll workers with special needs.** Both methods require developing a good working relationship with community agencies.

- Form a partnership with an agency or organization serving disabled citizens and conduct your recruitment effort among clients or members.
- Reach out to local organizations and agencies that work with voters with disabilities.

#### Benefits of Recruiting Poll Workers With Disabilities

- Poll workers with disabilities can provide guidance to election officials on techniques for serving disabled



voters. For example, one of the biggest challenges in implementing the new, accessible equipment is training poll workers to provide assistance with the audio ballot. Ask for input from your special-needs poll workers on how to give practical assistance with the audio ballot.

- Poll workers with disabilities can educate other poll workers on making the polling place layout and voting equipment more accessible.
- Recruiting poll workers with disabilities can build goodwill in the community, particularly among voting rights advocates.
- A targeted campaign to recruit poll workers with disabilities—those who have limited vision or mobility as well as people with cognitive disabilities—can not only broaden your poll worker pool but also increase your outreach to voters with disabilities as well.

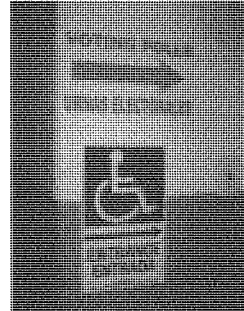
#### Resources Needed

- A good working relationship with a protection and advocacy program or other advocate for people with disabilities.
- Resources for converting written materials into an accessible format.
- Staff time.

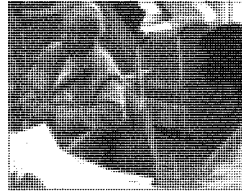
#### Pitfalls and Challenges

- The training and polling sites must meet accessibility requirements.
- Poll workers with physical limitations may require transportation to and from sites. Even if they are able to arrange their own transportation, it is important to let them know their assignments as early as possible.
- Training materials must be available in alternative formats. Many people whose vision is limited have computers with features that enable them to “read” documents, so post your training materials on your Web site.

Another option is to purchase a document reader and make it available at the elections office. Alternatively, a local library with reading services for people with limited vision could assist in making written materials accessible.



- People with disabilities may be intimidated by the prospect of extensive public contact or by finding themselves in the public eye. Give these poll workers a choice of job descriptions and ask them what tasks they think they can perform best.
- Polling place supply bags will need to include tools to provide an accessible work environment. Examples include cotton swabs or pencils with erasers for touching target points on a touch-screen voting machine; hand-held magnifying devices for reading paper ballots and check-in rosters; and pen or pencil grip enhancers.



#### Tips for Successful Implementation

- Poll workers with disabilities may need extra time to make travel arrangements before Election Day, so it is important to let them know their assignments early.
- Libraries can be a good resource for tackling the challenge of making written materials accessible. Many libraries have reading and recording services for people who are blind or visually impaired.
- Provide impaired poll workers with a list of various polling place job descriptions and ask what tasks they think they can best perform.

#### Evaluation

Designing an effective recruitment program for poll workers who are disabled will probably require more than one election cycle. Document the experience of these poll workers and the obstacles they encounter during the recruitment process.

*Sample #29. Recruiting Poll Workers With Disabilities (photo from Washington, DC, polling place) (page 91)*



## Chapter 9. Partnerships With Political Parties

49

### In This Chapter

- Benefits of Party Partnerships
- Pitfalls and Challenges
- Tips
- Innovations

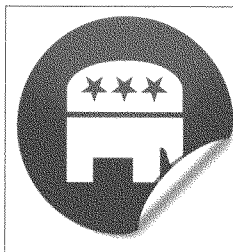
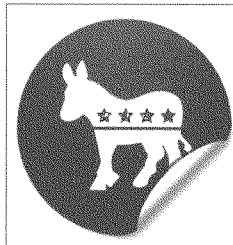
Some States have laws requiring political parties to supply names of potential poll workers to the election jurisdiction, and the election official must use the lists provided by political parties as a starting point for staffing precincts.

Other States and jurisdictions make such agreements informally. State or local officials request names, addresses, and phone numbers for potential poll workers from political party directors.

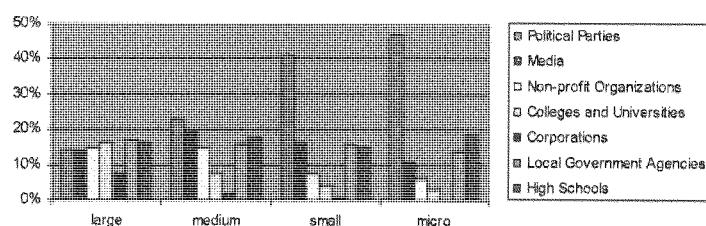
Lists of potential poll workers supplied by political parties may not be especially productive. The chart below suggests that counties with small populations may have greater success with this recruitment process than larger counties do.

#### Benefits of Party Partnerships

- Maintain a balanced pool of poll workers from each party.
- Create or maintain a good working relationship with the political parties.



**NACo Survey: Sources of Poll Worker Recruitment  
(by size of jurisdiction)**



### Pitfalls and Challenges

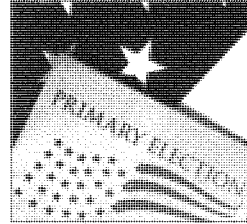
- Some political parties use Election Day poll service as a patronage job for the party faithful, not necessarily appointing those most qualified and willing to serve.
- Party representatives may be tempted to work for the success of a particular candidate.
- Political party lists may be submitted too late to be of use.
- Political parties often want members and others to serve as observers.
- Political party poll workers may want to work only in high-stakes elections and may not be reliable components of a long-term election team.

### Tips

- Hire representatives from the major political parties on an as-needed basis and pay them to assist in recruitment.
- Let the parties handle the primary recruitment effort. This approach will allow election officials to select those people with appropriate knowledge, skills, and abilities.

### Innovations

- One county sends the party chairs blank recruitment list forms and lists of those who served in the previous election. The party chairs send these lists to its precinct committee representatives, who recommend people to fill the poll worker slots. The precinct chairs send their lists back to the party chairs, who return them to the election office by a cutoff date. The election office staff fills the empty poll worker positions from these lists.
- One large county sends a reminder letter to the local party chairs close to the election, giving the number of poll workers needed at each location.



## Chapter 10 Offering a Split-Shift Option

51

### In This Chapter

- Benefits of Offering Split Shifts
- Pitfalls and Challenges
- A Tale of Three Jurisdictions

Many people find that the long hours required of poll workers are a deterrent to service. Some election officials allow poll workers to work split shifts to remedy this problem.

Split shifts (which allow poll workers to serve fewer hours on Election Day) are complex and sometimes controversial. Although voters and poll workers express support for offering split shifts, most election officials from large jurisdictions think split shifts are risky and create administrative difficulties. Election officials from smaller jurisdictions say that split shifts are invaluable. Election officials need to weigh the advantages and disadvantages of split shifts.

#### Benefits of Offering Split Shifts

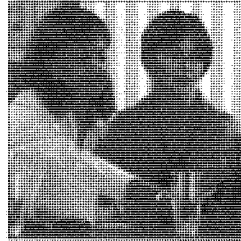
- Poll workers should be more alert during their entire shifts.
- Many poll workers and potential poll workers are interested in exploring the option. It can be an important recruitment tool.

#### Pitfalls and Challenges

- Poll workers for the later shift may not show up to replace those who are scheduled to leave.
- Split shifts could compromise the integrity of election processes because the chain of custody will be interrupted.
- Poll workers interested in splitting a shift may assume that the election official will recruit a partner for their shift.

#### A Tale of Three Jurisdictions

**"Split Shifts Are Too Risky and Too Hard To Administer."** "Jurisdiction One" is a composite of the many large jurisdictions that either have attempted but abandoned split shifts for reasons listed above in Pitfalls and Challenges, or never tried split shifts due to security concerns. The counties of Arlington and Charlottesville, VA, both tried split shifts but found it was too much work without any clear benefits. Los Angeles County, CA, offers the split shift option, but it is rarely used



#### Tips

- *Require each poll worker to recruit his or her own partner to work the other shift.*
- *To ensure accountability, create a database for recording who worked and what hours they served.*
- *Split shifts can complicate efforts to evaluate individual poll worker performance. For example, if two poll workers administer provisional ballots—one in the morning and one in the afternoon—you need a mechanism for associating each provisional ballot application with the poll worker who handled it.*
- *Where split shifts are allowed, the lead poll worker at each polling place must work a full shift for the sake of accountability and chain of custody.*

because interested poll workers shy away when they are told they must find their own partner, split the poll worker stipend, and remain in the polling place if their partner does not come to relieve them.

**A Rocky Start.** New Milwaukee, WI, Election Director Sue Edman experienced a challenging first election with a split-shift option in her September 2006 primary. She offered the option to 1,500 poll workers. Roughly 500—mostly new poll workers—opted to try it. The election office was deluged with calls asking the election department to find someone with whom to split a shift. Things went more smoothly in the November 2006 election, so the department plans to continue to offer the split-shift option.

Madison, WI, City Clerk Mary-Beth Witzel-Behl reports that half the poll workers in her 76 locations choose split shifts. She advises any election official seeking to pilot a split-shift program "to give the public a chance to hear about it and give it more than one election to get the word out. Develop technology that supports what you're trying to accomplish. Another tip: Don't allow all poll workers to split a shift—we required a minimum of three all-day poll workers to be present from open to close, including the supervisor."

**"Split Shifts Ensure Fresh Faces and Smooth Operations."**

In the districts around and including Burlington, Vermont, election officials have experimented over the years with different shift lengths. Each town has a local election authority called the Board of Civil Authority, which is made up of the town clerk, 3 or 5 board members or members of the city council, and 5 to 15 justices of the peace. Involving these local election members helps get the word out that it is everyone's responsibility to assist on Election Day. This involvement of local election members also helps with answering many questions about split-shift duties.



## Chapter 11. Hard-to-Reach Communities

53

### In This Chapter

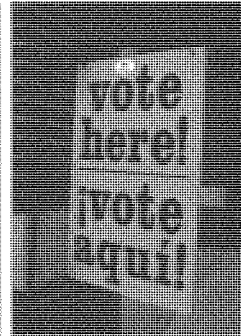
- Pitfalls and Challenges
- Recruitment Strategies
- Other Recruitment Strategies
- Case Study

Election officials often say that recruiting poll workers from a jurisdiction's economic extremes is especially challenging. To learn more about poll worker recruitment in hard-to-reach communities, the EAC convened a roundtable discussion of 14 election officials from jurisdictions across the country. Most of the officials represented large cities or counties and identified a variety of characteristics of hard-to-reach communities present in their jurisdictions. Several participants identified a pattern of vacancies over several election cycles in precincts that—

- Have extreme poverty or extreme wealth, and sometimes both.
- Have highly mobile populations.
- Have a great majority of voters registered as members of one political party.
- Require bilingual poll workers.

### Pitfalls and Challenges

- Some States require that poll workers reside in the precinct, city, county, or State in which they will serve.
- It is often difficult to keep poll worker teams politically balanced, in accordance with the jurisdictions' laws, policies, and political culture.
- Poor recruitment lists and lack of management tools make it difficult for election officials to gather data for assessing the skill sets and performance of existing or new poll workers.
- It is often difficult to persuade potential poll workers to travel beyond their own neighborhoods.
- There can be difficulty in complying with the Voting Rights Act, especially in recruiting bilingual poll workers.



### Recruitment Strategies

Election officials use a variety of creative approaches to overcome recruitment challenges in hard-to-reach communities, but no one is able to identify a "silver bullet."

Many officials follow local regulations governing the composition of poll worker teams. Some, frustrated by rigid rules, have sought legislative remedies. Still others have forged strong working relationships with other public agencies—for example, traffic control, public schools, community college, mayor's office, and county commissioners—to recruit poll workers. Some have raised the bar on training while also building a sense of community among poll workers.

*Some jurisdictions with particularly hard-to-recruit communities have developed Election Day plans that include dispatching "specialty poll workers" to the critical vacancy areas. These specialty poll workers can include city or county employees who are familiar with the area or who are willing to be deployed in teams, working on the "buddy system."*

### Other Recruitment Strategies

- In jurisdictions with rigid residency requirements or political party balance problems, officials have used voter registration rolls to send targeted recruitment flyers. Depending on the precinct, the flyer might highlight the stipend, focus on the training, or appeal to civic duty to motivate people to respond.
- Jurisdictions with county residency requirements enable officials to recruit people willing to travel outside their precinct to serve. Some officials provide transportation from a central location or additional stipend to cover travel costs.
- Consider offering additional monetary incentives. In some cases, offering a bonus to a new poll worker from a particular neighborhood might entice someone to serve. In other cases, offering a significant amount of money to an experienced poll worker who is willing to travel to a hard-to-recruit community has proven effective as a short-term solution.
- Coordinate school and election calendars so that schools are closed on Election Day. Schools can serve as polling places, and teachers, staff, and high school students can be recruited to serve as poll workers.
- Hire recruiters from specific hard-to-reach communities who are connected to local churches, schools, universities, or community organizations, such as the neighborhood association, tennis club, or local tribal organization.
- Develop relationships with local media, such as community newspapers (often distributed free), newsletters, and listservs to publicize service opportunities.

- Seek assistance from community leaders, including church pastors, school administrators, teachers, and union representatives. Ask them to recruit a number of skilled poll workers from their group. (See chapter 6 for more information).

#### Case Study

Motivated by the transition to a new voting system, one jurisdiction devised a plan to remedy its chronic lack of high-quality poll workers. Building on their own connections, election officials aggressively reached out to the community leaders—church pastors, school district administrators, city managers, and union organizations. The results were as follows:

- High-level staff met with 20 church pastors and requested them to recruit skilled poll workers from their congregations. The pastors made appeals in their church bulletins and from their pulpits. This effort resulted in 400 new poll workers.
- Election officials met with the chief executive officer (CEO) of the Detroit Public School system to discuss the possibility of recruiting teachers as poll workers. The CEO not only agreed to support the effort but also sent a memo and an e-mail blast to all the system's teachers. This effort resulted in 400 more poll workers.
- Election officials met with the local UAW and requested assistance in finding poll workers with specific skill sets. This effort brought in 150 to 200 poll workers.
- The Detroit mayor's office was supportive and issued an e-mail blast to the city's 8,000 employees, encouraging them to serve.

*"We are already working to sustain these successes, and that is the key. For example, immediately after the election we designed certificates of appreciation for our pastors and we delivered them in person in front of the congregations. Demonstrating this personal appreciation to the gate keepers makes a big difference."*

*—Daniel Baxter, Office of the City Clerk of Detroit, MI*

*Sample #30. Poll Worker Skill Set, Detroit, MI (page 92)*

*Sample #31. Memo to Teachers, Detroit Public Schools, Detroit, MI (page 93)*

## Chapter 12. Statutory Frameworks

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### In This Chapter

- Statutory Frameworks for Recruiting Poll Workers
- Requirements and Recruiting
- Evaluation

#### Statutory Frameworks for Recruiting Poll Workers

State laws sometimes impose additional constraints on those who may serve on Election Day. The results of a 2006 survey of State poll worker requirements conducted for the EAC, however, suggest that local election officials have some discretion and flexibility in meeting these requirements. The following discussion of legal requirements and how they may affect poll worker recruitment, training, and retention offers tips on how to work within these constraints. In some States, local election officials may want to consider joining forces to lobby for loosening the rules.

#### Requirements and Recruiting

Three requirements likely to create impediments to specialty recruitment strategies are as follows:

1. The poll worker must be a registered voter in either the jurisdiction or the precinct where he or she serves.
2. The poll worker must be at least 18 years old.
3. The poll worker must be affiliated with and/or nominated by a political party.

**Residency Requirements.** These requirements not only reduce the pool of potential poll workers, but they can undermine the effectiveness of recruiting notices, such as public service announcements or newspaper ads that may reach an audience living in other jurisdictions. If people take the time to respond to an ad only to learn they do not qualify, they will be less likely to respond to subsequent recruitment notices.

The following practices can help address residency-requirement issues:

- If you are considering specialty outreach programs, such as with corporations or civic groups, educate your partners at the outset about residency, and other requirements.

#### According to EAC research on State poll worker requirements:

*Approximately 30 States have statutory preferences for poll workers to be residents of the precincts in which they work.... California allows any State resident to be a poll worker anywhere in the State. Six States (Alaska, Arizona, Colorado, Maryland, Minnesota, and Virginia) will allow any State resident to be a poll worker anywhere in the State if there are insufficient numbers of county residents available.*



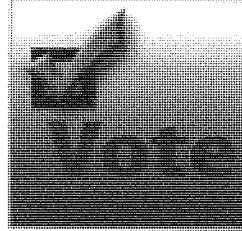
- Keep a list of which precincts need poll workers and publicize those needs in any broadcast messages or advertisements. Volunteer recruitment experts say that needed for a specific polling place or neighborhood, will improve the response rate.
- Implement in-precinct recruiting methods. Such methods include training experienced poll workers to ask voters to consider becoming poll workers, posting a signup sheet in the precinct, or mailing a special recruitment notice to voters in those precincts.
- Add special positions to your poll worker operation, such as precinct technician, troubleshooter, or rover, that are not precinct specific. These positions enable you to bring in well-qualified volunteers from other jurisdictions.

**Age Requirements.** Some States mandate that only registered voters may serve, which automatically disqualifies citizens under age 18—notably, all high school students. Many jurisdictions have created special poll worker positions to circumvent this prohibition, and a number of election officials are pushing for legislation that would eliminate this requirement.

**Party Affiliation or Nomination Requirements.** In some States, the law requires the political parties to nominate or designate poll workers. Deadlines for this nomination process can range from 20 to 90 days before the election. In some cases, State law specifies the date by which nominations must be made. The closer the nomination deadline is to the election, the more difficult it is to manage the logistics. There is less time to process applications, enter information into a database (if there is one), perform background or screening checks, and communicate with nominees about training. A late nomination date also means that many poll workers will probably miss training.

State law requiring an equal number of poll workers from each party in the polling place presents many difficulties. Corporations or civic organizations may not feel comfortable asking their employees or members to identify their affiliation publicly. Poll workers often recruit friends to serve with them, which may lead to “partisan imbalance.” In addition, some jurisdictions are heavily tilted to one party.

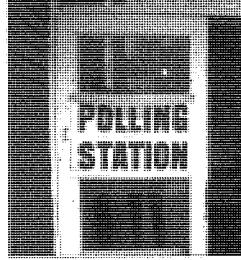
- As with strict residency requirements, if you are considering specialty outreach programs, such as working with corporations or civic groups, educate your partners at the outset about party affiliation requirements.



- In jurisdictions where nominations are made close to the election, consider training methods that allow flexibility. For example, offer a take-home video or DVD, or consider developing an online training course.
- Consider adding nonpartisan positions to your poll worker operation that will allow for recruiting outside the party nomination process. Nonpartisan positions might include student poll workers, precinct technicians, or bilingual translators.

#### Evaluation

Track the level of poll worker vacancies in the weeks before the election and on Election Day to assess the impact of strategies and/or to advocate for funding to take strategies to a new level.



## Appendix

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### Section One Samples

*Sample #1. Drop-Down List Used To Code Poll Workers by Source, Los Angeles County, CA (page 62)*

*Sample #2. "World of Difference" Application, Los Angeles County, CA (page 63)*

*Sample #3. Harris County, TX, Application/ Brochure Combo (page 64)*

*Sample #4. Johnson County, KS, Fact Flyer (page 65)*

*Sample #5. Johnson County, KS, Poster (page 66)*

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*Sample #7. Missouri/Truman Poster (page 68)*

*Sample #8. National Association of Secretaries of State "Help Carry the Torch" Poster (page 69)*

*Sample #9. Full-Service Poll Worker Web Site, Arlington County, VA (page 70)*

*Sample #10. Web Site on Which Potential Poll Worker Enters Information Onto the Online Application (page 71)*

*Sample #11. Radio Public Service Announcement Used in the Washington, DC, Metropolitan Area (page 72)*

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*Sample #13. Letter From San Diego County, CA, Registrar of Voters (page 74)*

*Sample #14. Kansas City, MO, Signup Brochure at the Polls (page 75)*

*Sample #15. Montgomery County, MD, Signup Sheet at the Polls (page 76)*

*Sample #16. Augusta, Richmond County, GA, Poster (page 77)*

*Sample #17. King County, WA, "Ask Me: I Speak Chinese" Button (page 78)*

*Sample #18. Los Angeles County, CA, Multilingual Tally Card (page 79)*

*Sample #19. King County, WA, "Play a Role in Delivering Democracy" Flyer (page 80)*

*Sample #20. "ML Requests on File" Tracking Chart, Los Angeles County, CA (Excel spreadsheet and bar chart) (page 81)*

*Sample #21. Making Voting Popular (MVP) Thank-You Letter to Corporate Partner, Kansas City, MO (page 82)*

*Sample #22. Champions of Democracy Letter to Participant, Franklin County, OH (page 83)*

*Sample #23. Certificate of Completion, Wayne Community College, Detroit, MI (page 84)*

*Sample #24. Letter to Churches, Cuyahoga County, OH (page 85)*

*Sample #25. Sample Notice for Church Bulletin, Cuyahoga County, OH (page 86)*

*Sample #26. Making Voting Popular Recruiting Letter to Participating Organizations, KS/MO Metropolitan Area (page 87)*

*Sample #27. Mayor's Letter to City Managers, Milwaukee, WI (page 88)*

*Sample #28. Board of Commissioners Resolution Creating a County Poll Worker Program, Cuyahoga County, OH (pages 89–90)*

*Sample #29. Recruiting Poll Workers With Disabilities (photo from Washington, DC, polling place) (page 91)*

*Sample #30. Poll Worker Skill Set, Detroit, MI (page 92)*

*Sample #31. Memo to Teachers, Detroit Public Schools, Detroit, MI (page 93)*

*This Guidebook contains sample documents used by various State and local election jurisdictions. The U.S. Election Assistance Commission has published these documents with the express permission of its owner. These documents are intended to be representative of relevant election administration practice throughout the nation and to illustrate the concepts being described in the text. The inclusion of these samples in this Guidebook does not constitute an endorsement by the U.S. Election Assistance Commission. Additionally, as State law varies and is subject to change, readers are cautioned to obtain legal advice prior to adopting any new policy, procedure or document.*

[illegible]

Sample #2. "World of Difference" Application,  
Los Angeles County, CA

**Next Election Day  
You  
Can Make a World of Difference!!!**

**When:** June 6, 2006 Primary Election

**Where:** A Polling Place Near You.

**Who:** Must be 18, a U.S. Citizen and a Registered Voter

**What:** \$100 stipend for Inspectors  
\$80 stipend for Clerks  
plus \$25 Training Class Bonus

**Interested?** PLEASE CALL: 1-(800) 815-2666 / Option 7

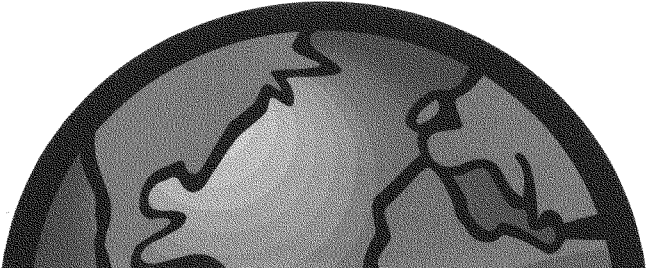
- OR -

Fill out the application on the reverse side of this flyer and mail to:

LA County Registrar-Recorder/County Clerk  
12400 E. Imperial Highway  
Polls & Officers Section Room 6211  
Norwalk, CA 90650


- OR -

Check out our website, [www.lavote.net](http://www.lavote.net), Click on "Take the Pollworker Plunge".



[illegible]

Sample #4. Johnson County, KS, Fact Flyer



## Election Worker News

### Johnson County Election Office

Fall 2008      Volume 3

**Big News — Pay Increase for Election Workers**  
\$188 for S's and \$110 for G's.

**November General Election — 11-07-08      Countywide**

**Election Worker Volunteer Training Sessions**

- Oct 14, Saturday 9 am to Noon, Claiborne High School
- Oct 21, Saturday 9 am to Noon, Claiborne High School

**Open Election Worker Training Sessions**

- Oct 15, Wednesday 1 pm to 4 pm, Election Office
- Oct 21, Saturday 2 am to 5 pm, Election Office
- Oct 24, Tuesday 9 am to Noon, Election Office
- Oct 25, Thursday 9 am to Noon, Election Office
- Oct 26, Saturday 9 am to Noon, Election Office
- Oct 28, Saturday 2 pm to 5 pm, Election Office

**Practice Polls Conducted**

- Nov 2 thru 4, Thursday, Friday, Saturday 10 am to 3 pm daily
- Overland Park Central Resource Library, Lenexa Community Center, Salvation Army - Olathe

**Supervisors, Judges Mandating Pre-Election Meeting**

- Nov 4, Saturday 9 am to 1 pm, Election Office
- Nov 5, Sunday 9 am to 1 pm, Election Office

**On-Line Training**

You will be notified in your assignment letter if you are eligible to participate in the On-Line Training Program.

**Coming in 2009 —**

**February Primary Election      2-07-09      If needed**

**April General Election      4-06-09      Countywide - definite**

- De Soto, Edgerton, Fairway, Gardner, Lake Quanna, Lenexa, Merriam, Mission Hills, Mission Woods, Olathe, Overland Park, Prairie Village, Rosewood Park, Spring Hill, Shawnee
- JCCC Trustees, Manor District #1, Merriam and Monticello Drainage Districts, Unified School Districts—200, 201, 202, 203, 212

**Publicize Appraisal**

To purchase a VOTE print, click on the "For Election Workers" Tab on the website.

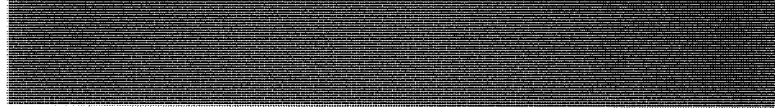
**Adopt A Polling Place**

This is an opportunity for your club, organization or church group to raise needed funds. You can donate your earnings from working Election Day to your chosen organization. Please contact us for further information.

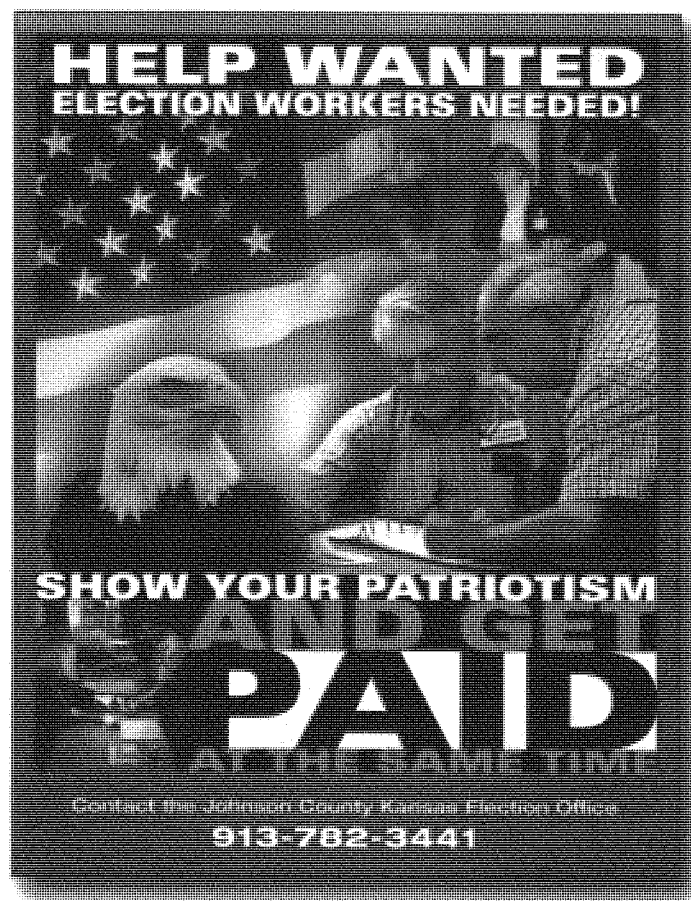
**Join the Star Search Club or the Torch Club**

- Please be open to friends who you think would make good Election Workers.
- Ideal workers are polite, intelligent, friendly, detail-oriented, and courteous.
- Contact us at 715-6530 to have an Election Worker packet mailed to them.

Johnson County Election Office — 715 S Kansas Ave, 3rd Floor — KS 66101  
 Tel: 715-6530 Fax: 715-6530 www.johnsoncountyks.org/electionworkers



Sample #5. Johnson County, KS, Poster



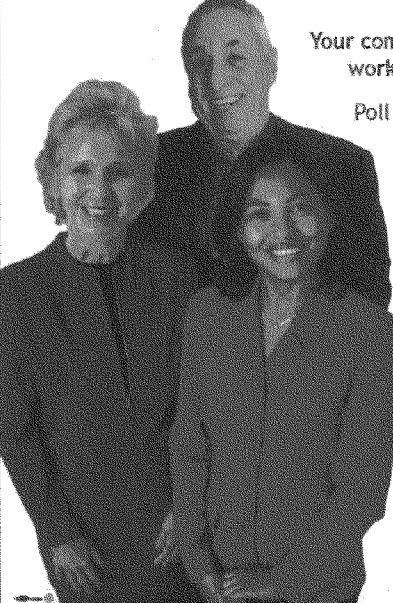


Sample #6. King County, WA, Poster

\*\*\*\*\* BE A POLL WORKER \*\*\*\*\*

# HELP DELIVER DEMOCRACY...


AND MAKE MONEY DOING IT!



Your community needs poll workers on Election Day.

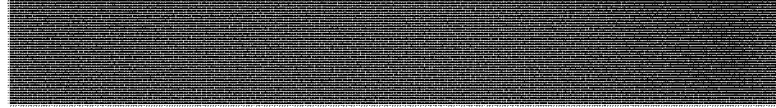
Poll workers will be paid **\$118** for their time on Election Day.

- ★ Do you want to give back to your community?
- ★ Are you friendly, patient and dedicated?
- ★ Do you need some extra money?



**King County  
Elections**

**CONTACT US!** 206-296-1606 or  
pollworker@metrokc.gov



Sample #7. Missouri/Truman Poster

Poll workers assist Harry S. Truman in the April 1956 election

IT'S YOUR TURN

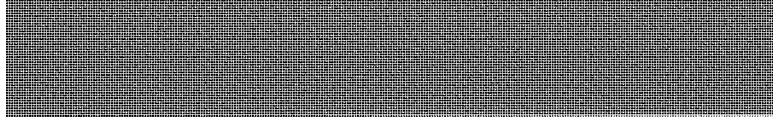
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**BE A POLL WORKER**

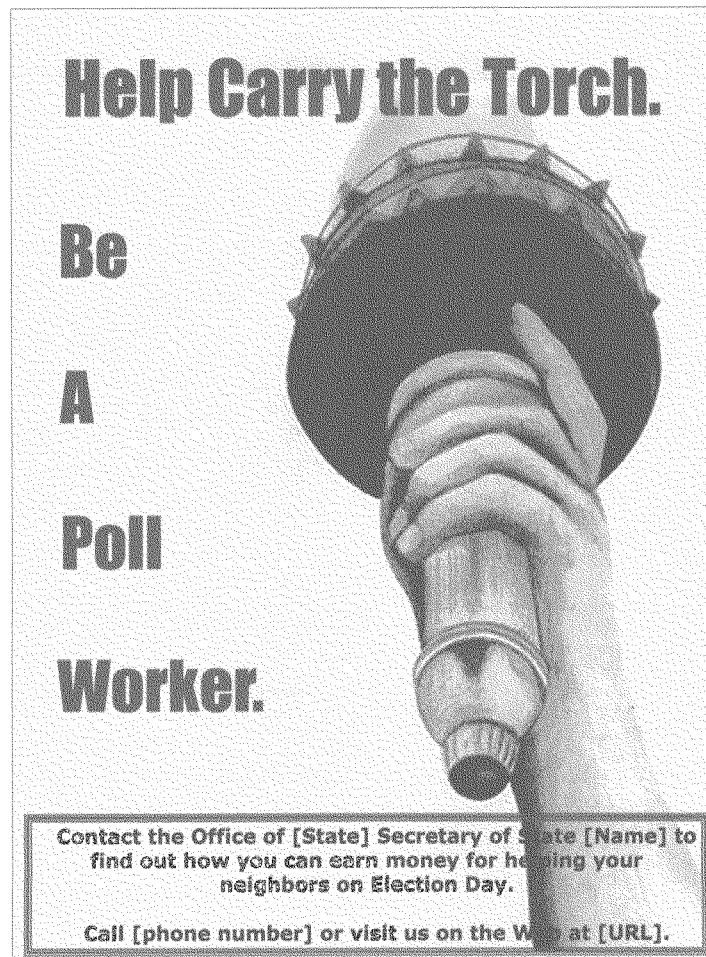
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Robin Carnahan — Secretary of State

[www.sos.mo.gov/pollworker](http://www.sos.mo.gov/pollworker)  
 800.669.8683



Sample #8. National Association of Secretaries of State  
“Help Carry the Torch” Poster



Sample #9. Full-Service Poll Worker Web Site, Arlington County, VA

**WELCOME TO THE HOME PAGE FOR ARLINGTON COUNTY'S ELECTION OFFICERS!**

Each year, the Arlington County Electoral Board appoints over 600 citizens to serve as election officers at the polls on Election Days. This section of our web site serves as an information source for those individuals.

If you are not an appointed Election Officer and are interested in serving as one, please see our [Work at the Polls](#) page where you can learn more about this position and complete an online application. You may also find it useful to read our [FAQ](#) section.

**The Election Officers' Home Page**

This is a work in progress, and we will be adding new features and updates from time to time. Your feedback is important to us!

**What can you do from your Home Page?**


**Download forms:** Did you misplace your Response or Affirmation form? Do you need to change your payroll withholding amounts? See the [Forms](#) section.

**Read our newsletter:** The most recent volumes of your print newsletter, Arlington Election Notes, are available online.

**Evaluate your experience:** Tell us what worked, and what didn't, during your recent Election Day experience.

**Have questions answered:** Read our [FAQ \(Frequently Asked Questions\)](#) section to find the answers to most basic questions about working at the polls.

**Training Information:** Training schedules and the ability to make class reservations online are available [here](#).



**ON THIS PAGE**

- [2016 Elections](#)
- [Precinct Assignments](#)
- [Training Information](#)
- [New in 2016](#)

**RELATED RESOURCES**


- [Apply to Work at the Polls](#)
- [Election Officer Forms](#)
- [Evaluate Your Experience](#)
- [Training Information](#)
- [Newsletters](#)
- [Election Officer FAQ](#)
- [Contact Us](#)
- [Election Resources](#)

Sample #10. Web Site on Which Potential Poll Worker Enters Information Onto the Online Application

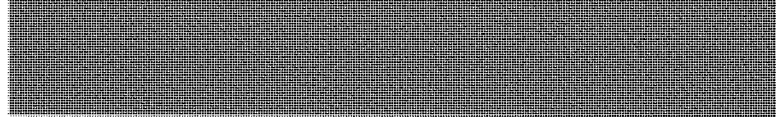
*Election Judge Application*  
**Check all boxes that apply:**

☐ I want to serve as a Democratic judge.  
☐ I want to serve as a Republican judge.  
☐ Political affiliation does not matter to me.  
☐ I would like more information, please call me.

**I am fluent in:** ☐ Spanish ☐ Chinese  
*(if applicable)*

**Name:**   
**Address:**   
**Village/City:**   
**State:**    
**Zip (5 digits only):**   
**Daytime Phone:**   
**Evening Phone:**

Consider developing an automated function where the potential pollworker receives an email, thanking them for their interest and attaching information such as a brochure or training schedule.



Sample #11. Radio Public Service Announcement Used in the Washington, DC, Metropolitan Area

**PSA #3 (30 seconds.):**

"Hello, I'm Willard Scott. Over 2000 people in the metropolitan area are needed to work at the polls on Election Day. Your community needs citizens who:

- Are registered voters in the jurisdiction in which they live;
- Have plenty of stamina for a long, exciting day; and
- Enjoy meeting people and serving the community.

Bilingual speakers who are fluent in English and Spanish are especially needed.

Be part of Election Day and support your community by serving at a polling place near you. Interested? Contact your local Board of Elections at xxx xxx xxxx to sign up.

Sample #12. News Coverage, *Milwaukee Journal Sentinel*,  
January 7, 2007

**Campaign seeks poll workers**  
**League says ranks are dwindling**

By AMY RINARD  
[arinard@journal-sentinel.com](mailto:arinard@journal-sentinel.com)  
Posted: Jan. 7, 2007

The League of Women Voters of Wisconsin is seeking computer-savvy teenagers and people of color in a recruiting campaign for poll workers needed to replace the dwindling corps of mostly older workers that have staffed polling places for decades.

"That's the civic-minded generation," league President Andrea Kaminski said of the retired people who have been the mainstay of local elections.

"People who have been poll workers do a remarkable job, but it's long hours with even some heavy lifting, and it is difficult." Pay varies widely and is mostly nominal. In Milwaukee, it's \$85 per day.

As election laws, equipment and procedures have become more complex and more dependent on electronic machines, elections officials around the state have reported that more of their older, longtime poll workers are resigning.

The campaign, already under way in Dane County, targets teens as young as 16 to serve as poll workers because young people are less apt to be intimidated by computerized election equipment. "Some of the older poll workers are hesitant to use the high-tech voting machines," Kaminski said. "Young people are likely to approach computer equipment with no fear."

Equally important in recruiting young people as poll workers, she said, is getting them involved in the civic life of their communities and elections in the hope that they will become life-long voters. The law provides that, starting at age 16, high school students with good grades and permission from their parents and schools may serve as poll workers.

The campaign will work with teachers to help organize poll workers at schools, Kaminski said.

**Reaching out to minorities**

The campaign also is to reach out to African-American churches and organizations of minority business owners to recruit people of color.

Kaminski said that in many communities around the state, poll workers tend to be white and might not represent the majority of voters using the polling places where they are assigned.


"A more diverse work force will make the polls a more welcoming place," she said.

Louise Petering, co-president of the Milwaukee chapter of the league, said her group was thinking of launching the campaign in Milwaukee County before the April election. She said that a Marquette University official has expressed interest in publicizing the recruitment effort at the university, and that some local league members were enthusiastic about the campaign.

"There definitely is a need," Petering said. Sue Edman, executive director of the Milwaukee Election Commission, had said that after the November election, a number of the city's longtime poll workers said they would not be back. The city needs more than 1,800 poll workers in a high-turnout election.

Edman said the city would launch its own recruiting effort after the April election. She said it would include asking non-profit groups to "adopt" polling places, to be staffed by the groups' supporters, who would donate their city paychecks to benefit their charitable organizations.

# Sample #13. Letter From San Diego County, CA, Registrar of Voters

<p>MIKEL HAAS Registrar of Voters</p> <p>TIM McNAMARA Asst. Registrar of Voters</p>	 <b>County of San Diego</b> REGISTRAR OF VOTERS <small>5201 Ruffin Road, Suite 1, San Diego, California 92123-1693</small>	<p>Office: (658) 565-5800          Fax: (658) 694-2955          TDD: (658) 694-3441          Toll Free: (800) 696-0126</p>
---	--	--

May 22, 2006

<<John Doe>>  
 <<123 Front St>>  
 <<San Diego, CA 92137>>

Dear <<Joe Smith>>,

Your neighborhood needs your help.

With the June 6, 2006 Statewide Primary Election only a few weeks away, those who have volunteered to serve at the polls located in your particular neighborhood on Election Day are willing and committed, but, at this point, are too few in number.

They are going to need help. Would you consider joining them as a poll worker?

If you've ever given thought to serving your neighborhood and community in this way, this would be a good time. If you can give your time, we will give you the training, the opportunity to work side by side with your neighbors or friends and, more than likely, meet some neighbors you never met before.

You'll play perhaps the most fundamental and vital role in the democratic process ... assisting the voters in your neighborhood in casting their ballot. You even receive a stipend - recently increased to \$75 to \$150, depending on assignment - for being part of a team of fellow poll workers working to "make democracy happen" in your area.

So, if you are willing and able, it's time to ride to the rescue of those dedicated souls who've already committed to serve on Election Day, June 6<sup>th</sup>.

It is a long day - usually 6 a.m. to about 9:30 p.m. - but you'll hit the sack that night knowing you accomplished something worthwhile that directly benefited the folks in your own community. And you might just have some fun at the same time.


So, give us a call at (658) 565-5800 or email your name and phone number to us at [ROVMAIL@SDCOUNTY.CA.GOV](mailto:ROVMAIL@SDCOUNTY.CA.GOV) and we'll get back to you ASAP.

Sincerely,

MIKEL HAAS  
Registrar of Voters



## Sample #14. Kansas City, MO, Signup Brochure at the Polls

<p><b>Kansas City Board of Election Commissioners</b> 1122 Walnut, Ste. 300 Kansas City, Missouri 64108 816.542.4820 Fax: 816.473.4980 Alternate Fax: 816.524.5345 www.kcbe.org kcbe@kcbe.org</p>	<p><b>Adopt a Poll Fundraiser</b></p>	
<p><b>Join the Election Worker Team!</b></p>	<p>Your favorite group or charity may be interested in our great fundraising program!</p>	<p><b>How to Become an Election Worker</b></p>
<p>Please consider being a part of our team on election day!</p>	<ul style="list-style-type: none"> <li>Your participation in this partnering will promote civic responsibility, support the democratic process and raise dollars for your group!</li> <li>Share your day and your day!</li> <li>Members of your organization would attend a three hour training session and serve as election workers on election day.</li> <li>Following the election, team members would donate their earnings to their organization's fundraising project.</li> <li>It's a great way to give back to your community and raise funds for your organization!</li> </ul>	<p>Contact the Election Judge Department at 816.542.4520 ext. 228 or ext. 229</p>
<p>On election day, over 1,200 Election Workers are needed to serve the citizens of Kansas City within Jackson County. This presents a great opportunity to serve your community and be part of the election process.</p>	<p>Contact the Election Judge Department at 816.542.4520 ext. 228 or ext. 229</p>	<p><b>www.kcbe.org</b></p>
<p>You may visit our Election Worker Team by completing the Election Worker form and mailing or faxing it to our office. Our address and fax number is listed on the form.</p>	<p><b>www.kcbe.org</b></p>	<p><b>www.kcbe.org</b></p>
<p>Election workers are the Gatekeepers of our democracy!</p>	<p><b>www.kcbe.org</b></p>	<p><b>www.kcbe.org</b></p>

General Information	
<p><b>Qualifications</b></p> <ul style="list-style-type: none"> <li>Citizen of the United States</li> <li>Resident of Kansas City, Missouri within Jackson County</li> <li>Registered to vote at current address</li> <li>Available to work in any part of the city</li> </ul>	<p><b>Supervising Judge Responsibilities</b></p> <ul style="list-style-type: none"> <li>Responsible for operations at poll</li> <li>Monitor station office of violations</li> <li>Assign duties to election judges</li> <li>Provide direction in setting up of poll</li> <li>Officially opens poll at 8:00 am</li> <li>Manages check-in of voters</li> <li>Officially closes poll at 7:00 pm</li> <li>Responsible for return of voted ballots and designated supplies to specified location</li> </ul>
<p><b>Compensation</b></p> <ul style="list-style-type: none"> <li>Election Judge - \$100.00</li> <li>Supervising Judge - \$125.00</li> <li>Training session - \$30.00</li> </ul>	<p><b>Training</b></p> <ul style="list-style-type: none"> <li>Mandatory attendance at a three hour training session</li> <li>Training may be completed any day of the week</li> <li>Take Home Election Judges Training Manual is provided</li> </ul>
<p><b>Hours</b></p> <ul style="list-style-type: none"> <li>Polls are open from 8 am to 7 pm</li> <li>Election workers report to their assigned location no later than 5 am to prepare for 8 am poll opening</li> <li>Following the 7:00 pm close of polls, all election workers assist Supervising Judges in closing poll site</li> </ul>	<p><b>Benefits of Becoming an Election Worker</b></p> <ul style="list-style-type: none"> <li>Learning about and assisting others in the democratic process</li> <li>Showing your civic pride</li> <li>Giving back to the community</li> <li>Personally contributing to a more free, fair, honest and accurate election</li> <li>Promoting public trust and confidence in the democratic process</li> <li>Earning extra dollars</li> </ul>
<p><b>Election Judge Responsibilities</b></p> <ul style="list-style-type: none"> <li>Assist Supervising Judges and share responsibilities of operating poll site, including, but not limited to:             <ul style="list-style-type: none"> <li>Opening and setting up poll</li> <li>Posting signs</li> <li>Directing voters</li> <li>Assisting voters as needed</li> <li>Issuing "I Voted" stickers</li> <li>Assist Supervising Judges in closing poll</li> </ul> </li> </ul>	

**Notice: Voters  
2006**

Primary ☐ General ☐

If you are interested in serving as an election judge, please print your name, phone number and party affiliation in the spaces below. The Chief Judge will return the information to the Board of Elections. Thank you.

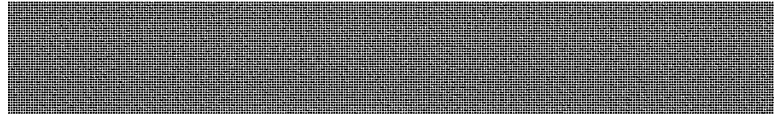
Chief Judges:

Please place this sign-up form on the Voter Information Table and direct voters who are interested to complete the information requested. Please return this form in the Document Jacket.


Name	Phone Number	Party Affiliation

S:\Elections\06 PP Forms & Documents\  
06 Election Judge Sign-up.doc

On Line: \_\_\_\_\_

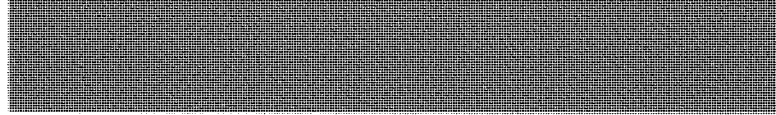


Sample #16. Augusta, Richmond County, GA, Poster

	<p><b>STUDENT POLL WORKER PROGRAM 2004</b></p>
<p><b>CAN YOU ANSWER YES TO THESE QUESTIONS?</b></p>	
<p>DO YOU HAVE A GPA OF AT LEAST 2.5?</p>	
<p>HAVE YOU EITHER COMPLETED OR ARE YOU CURRENTLY ENROLLED IN A US HISTORY CLASS?</p>	
<p>ARE YOU AT LEAST 16 YEARS OLD?</p>	
<p><b>THEN YOU CAN.....</b></p>	
<p>BE A POLL WORKER DURING THE PRESIDENTIAL ELECTION ON NOVEMBER 2, 2004</p>	
<p>EARN UP TO \$75 FOR SERVING</p>	
<p>GET AN UP CLOSE LOOK AT DEMOCRACY IN ACTION</p>	
<p><b>FOR MORE INFORMATION CONTACT:</b></p>	
<p>_____ Room # _____</p>	

SPONSORED BY THE RICHMOND COUNTY BOARD OF ELECTIONS  
AND APPROVED BY THE RICHMOND COUNTY BOARD OF EDUCATION

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Sample #17. King County, WA, "Ask Me: I Speak Chinese"  
Button



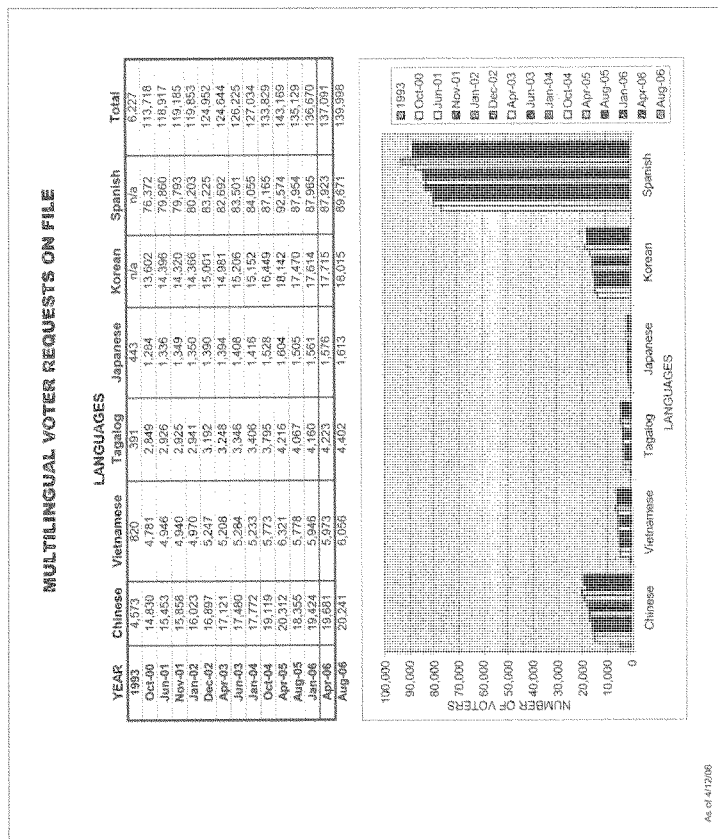
Sample #18. Los Angeles County, CA, Multilingual Tally Card

<p><b>VOTE</b> 투표하십시오  <b>Bumoto</b> しましょう  <b>Hãy Bỏ Vota</b>  <b>投票</b> Bỏ Phiếu</p> <p><small>LOS ANGELES COUNTY REGISTRAR-RECORDERS COUNTY CLERK</small></p>	<p>PRECINCT NUMBER: _____</p> <p><b>Inspectors!</b> On Election Day, please help us keep track of how many voters requested assistance in          (1) another language in order to vote and          (2) voters who required other special assistance:          (Examples: Mandarin <u>  </u> <u>  </u> <u>  </u>, Wheelchair Users: <u>  </u>)</p> <p>Chinese/Mandarin _____ Spanish _____          Chinese/Cantonese _____ Tagalog _____          Japanese _____ Vietnamese _____          Korean _____ <input type="checkbox"/> No request in any language.</p> <p>Other Language (Please specify): _____</p> <p>Voters using wheelchairs _____</p> <p>Blind, visually or hearing impaired voters _____</p> <p><b>(PLEASE RETURN IN GREEN STRIPE ENVELOPE)</b>  <small>(See Reverse Side)</small></p>
<p>If you needed an <b>additional Pollworker</b> in any language, please specify below:</p> <p>Language _____</p>	<p>PRECINCT NUMBER: _____</p> <p><b>Inspectors!</b> On Election Day, please help us keep track of how many voters requested assistance in          (1) another language in order to vote and          (2) voters who required other special assistance:          (Examples: Mandarin <u>  </u> <u>  </u> <u>  </u>, Wheelchair Users: <u>  </u>)</p> <p>Chinese/Mandarin _____ Spanish _____          Chinese/Cantonese _____ Tagalog _____          Japanese _____ Vietnamese _____          Korean _____ <input type="checkbox"/> No request in any language.</p> <p>Other Language (Please specify): _____</p> <p>Voters using wheelchair _____</p> <p>Blind, visually or hearing impaired voters _____</p> <p><b>(PLEASE RETURN IN GREEN STRIPE ENVELOPE)</b>  <small>(See Reverse Side)</small></p>
<p><b>VOTE</b> 투표하십시오  <b>Bumoto</b> しましょう  <b>Hãy Bỏ Vota</b>  <b>投票</b> Bỏ Phiếu</p> <p><small>LOS ANGELES COUNTY REGISTRAR-RECORDERS COUNTY CLERK</small></p>	<p>If you needed an <b>additional Pollworker</b> in any language, please specify below:</p> <p>Language _____</p>

Sample #19. King County, WA, "Play a Role in Delivering Democracy" Flyer



Sample #20. "ML Requests on File" Tracking Chart,  
Los Angeles County, CA (Excel spreadsheet and bar chart)



## Sample #21. Making Voting Popular (MVP) Thank-You Letter to Corporate Partner, Kansas City, MO

★ ★ ★ MAKING VOTING POPULAR ★ ★ ★  
(MVP)

*Art Brisbane*

Clay County Election Board  
T. Gary Tibbitts, Director  
Sandra Garrett, Director  
100 West Mississippi  
Independence, Missouri 64050  
(816) 415-8883  
(816) 792-5124 Fax

*Honorary Chairpersons*

Jackson County Election Board  
Bob Nichols, Director  
Charles Davis, Director  
P.O. Box 200  
Independence, Missouri 64050  
(816) 521-4899  
(816) 521-4899 Fax

*Steve Rose*

Johnson County Election Board  
George Schmitt  
Election Commissioner  
2101 E. Kansas City Road  
Gladys, Kansas 66031-7612  
(913) 582-3243  
(913) 791-1752 Fax

Sharon V. Turner, Director  
Ray N. Jones, Director  
1828 Walnut St. Ste. 300  
Kansas City, Missouri 64108  
(816) 825-4020  
(816) 471-4960 Fax

November 25, 1998

Ms. Sharon Obenland  
H & R Block  
4500 Main  
Kansas City, Missouri 64108

Dear Sharon:

On behalf of the election officials in the Greater Kansas City Metropolitan area, please accept our thanks for your company's participation in the **Making Voting Popular** program.

We are glad to report that the election worker recruitment initiative was a huge success. Over 200 individuals were assigned as new election workers in the bi-state area on the November 3, 1998 election day.

Following is a listing of employees from your company who worked in the election:

Joyce Harris  
Mary Ann Merle

Jim Reicher  
Phil Reicher

Linda Shelly

We appreciate your response to our plea for help and your help made a difference! Your employees contributed to our efforts to make the election process more efficient. As a charter member of the **Making Voting Popular** program, we would like to express our appreciation for your support by presenting you with the enclosed certificate. Individual certificates have also been mailed to your staff members.

Again, thank you for your participation. We look forward to working with you in future elections as part of the **Making Voting Popular** program!


Sincerely,

Sharon V. Turner  
Missouri MVP Coordinator

Enclosure: Certificate



## Sample #22. Champions of Democracy Letter to Participant, Franklin County, OH



**Franklin County**  
Where Government Works

**BOARD OF ELECTIONS**  
Matthew H. Damschroder, Director    Dennis L. White, Deputy Director

Dear Champions of Democracy Participant:

Thank you for allowing your employees to participate in the Franklin County Board of Elections Champions of Democracy program as Precinct Election Officials. We would not have had as successful an Election Day in November 2005 without your support.

Champions of Democracy began in the fall of 2004 and has created multiple partnerships between the Board of Elections and local corporations, civic organizations, and government agencies. The result: more than 300 people were placed as precinct election officials in the last election.

This year the Board of Elections will implement a new touch screen voting system required by recent federal and state laws. To assist us in this process, we hope to increase the number of our Champions of Democracy partnerships as well as the number of individual employee participants at the polls through this program. We trust that we can count on your continued support.

The Board of Elections is committed to making your partnership as a Champion of Democracy as easy and as beneficial as possible for you and your employees/members. Training for your employees as a precinct election official is available during the course of several weeks at various times of the day and on weekends. For organizations that recruit 25 or more people, Board of Elections staff will train them at your location. To promote your participation in this important program, your employees will be permitted to wear tasteful clothing with your organization's logo while at the polls on Election Day. In addition, your company will be publicly recognized by the Board of Elections through our annual Champions of Democracy advertisement in the Columbus Dispatch.

We respectfully request your organization's continued participation in the Champions of Democracy program in 2006 for both the May 2 and November 7 elections. In the next few weeks we will be following up with you to discuss how we can partner together and enable your employees/members to "Take a Day for Democracy!" If you have any questions, please do not hesitate to contact us at 614/462-5352.

Sincerely,

Renee Kloo  
Precinct Election Official Manager




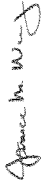

Lillian Williams  
Public Relations Manager

**FRANKLIN COUNTY**  
**BOARD OF ELECTIONS**  
 280 East Broad Street  
 Columbus, Ohio 43215


(614) 462-3100  
 (614) 462-3489 FAX  
[www.FranklinCountyOhio.gov/BOE](http://www.FranklinCountyOhio.gov/BOE)

**BOARD MEMBERS**  
 William A. Anthony, Jr., Chairman  
 Michael F. Colley, Esq.  
 Kimberly B. Maronello  
 Carolyn C. Petrase

Sample #23. Certificate of Completion, Wayne Community College, Detroit, MI

	<p>WAYNE COUNTY COMMUNITY COLLEGE DISTRICT IN PARTNERSHIP WITH THE DEPARTMENT OF ELECTIONS</p>	
<p><b>CERTIFICATE OF COMPLETION</b></p>		
<p>THIS CERTIFICATE IS AWARDED TO</p>		
<p><b>SOLOMON SMITH</b></p>		
<p>FOR SUCCESSFUL COMPLETION OF THE <b>POLL WORKER TRAINING</b></p>		
<p> BRIAN SINGLETON DEAN OF STUDENT SERVICES FOR CAMPUS OPERATIONS</p>	<p> JAMES M. WARD CITY CLERK CHAIRPERSON ELECTION COMMISSION</p>	<p> JAMES A. GARTER DIRECTOR OF ELECTIONS</p>
<p>DATE</p>	<p>DATE</p>	<p>DATE</p>

## Sample #24. Letter to Churches, Cuyahoga County, OH



**CUYAHOGA COUNTY  
BOARD OF ELECTIONS**

Robert T. Bennett  
*Chairman*

Edward C. Coxam, Jr.  
*Chairman*

Sally D. Florkiewicz  
*Chairman*

Loree K. Soggs  
*Chairman*

L. Michael Vu  
*Director*

Gwendolyn Dillingham  
*Deputy Director*

---

September 19, 2006

Dear Church Official,

In effort to recruit quality poll workers for the November 7, 2006 General Election, the Cuyahoga County Board of Elections is teaming up with the County, Municipalities, Corporations, Unions and Community Organizations requesting their participation in our recruitment efforts.

The Board of Elections must employ over 7000 temporary workers on Election Day to serve our community at the polls. To aid in the process we are asking our community partners to assist in recruitment efforts.

Members of the Recruitment and Outreach Department at the Board of Elections are available to attend or host recruitment events conveniently at our partnering agencies, city halls, corporations, and community centers.

The responsibilities of our Poll Workers and Election Day Technicians are demanding yet enriching. Our poll workers are responsible for opening and closing polling locations, providing voters with proper instructions to cast their ballot, ensuring all Election Laws are followed, and providing a beneficial service to the citizens of Cuyahoga County. The rate of pay for a poll worker is \$172.10 (Judge) or \$182.10 (Presiding Judge). Election Day Technicians are our technical set up, take down and trouble shooting employees at the polling locations and the rate of pay for them is \$225.

Attached to this letter is a bulletin that we would like you to place in your congregation newsletter/bulletin and post, along with the colored flyer, throughout your church building.

Thank you for your continued participation in the election process.


Sincerely,

Recruitment and Outreach Assistant

Poll Worker Recruitment and Outreach


2925 Euclid Avenue • Cleveland, Ohio 44115-2497 • (216) 443-3277

[www.cuyahogacounty.us/boe](http://www.cuyahogacounty.us/boe) • Ohio Relay Service 711



Revised 6/20/2007 11:52 AM

Sample #25. Sample Notice for Church Bulletin,  
Cuyahoga County, OH



**CUYAHOGA COUNTY  
BOARD OF ELECTIONS**

Robert T. Bennett    Edward C. Coaxum, Jr.    Sally D. Florkiewicz    Loree K. Soggs    L. Michael Yu    Cwendolyn Dillingham  
*Chairman*                      *Director*                      *Deputy Director*


**FOR USE IN A BULLETIN OR POST ON BULLETIN BOARD**

The Cuyahoga County Board of Elections is seeking individuals willing to work the November 7, 2006 General Election. We have two opportunities available for participation:

- Election Day Technicians assist us as technical support for the electronic voting devices at the polling locations. Election Day Technicians are required to attend an eight hour training class and will be paid \$225.00.
- Poll Workers assist us in duties relating to the administration of the election. Poll Workers are required to attend a four hour training class and will be paid \$172.10.

If you are interested in working on Election Day, please contact the Board of Elections Poll Worker Department at 216-443-3277.

Poll Worker Recruitment and Outreach  
 2925 Euclid Avenue • Cleveland, Ohio 44115-2497 • (216) 443-3277  
[www.cuyahogacounty.us/boe](http://www.cuyahogacounty.us/boe) • Ohio Relay Service 711



Revised 6/20/2007 11:52 AM

## Sample #26. Making Voting Popular Recruiting Letter to Participating Organizations, KS/MO Metropolitan Area

★ ★ ★ MAKING VOTING POPULAR ★ ★ ★  
MVP

*Art Brishane      Honorary Chairpersons      Steve Rose*

<p><b>City Council Election Board</b> Teresa E. Brown, Director Nancy L. Brown, Director 100 West Main Street Chester, Missouri 64605 (816) 435-4805 (816) 792-4734 Fax</p> <p><b>St. Louis County Election Board</b> Mike St. Louis, Director Wanda St. Louis, Director 100 West Main St. Louis, Missouri 63101 (314) 875-1234 (314) 875-1234 Fax</p>	<p><b>St. Louis County Election Board</b> John St. Louis, Director Capitol Drive, Director P.O. Box 200 Independence, Missouri 64051 (816) 351-4800 (816) 351-4800 Fax</p> <p><b>Johnson County Election Board</b> Connie Schmidt Capitol Drive, Director 1101 E. Kansas City Blvd. Olathe, Kansas 64661-7012 (913) 782-3441 (913) 791-1737 Fax</p>	<p><b>Sanborn City Election Board</b> Sharon V. Turner, Director Ray A. Turner, Director 1528 Walnut St., Ste. 400 Apex, Kansas 64601-7012 (913) 782-3441 (913) 791-1737 Fax</p> <p><b>Wyandotte County Election Office</b> Dorothy A. Kellie Election Administrator 1000 State Avenue Kansas City, Kansas 64117 (913) 782-3441 (913) 791-1737 Fax</p>
--	---	--

Dear MVP Participant,

Thank you for your interest in the **Making Voting Popular** program. With your help, we will make a difference in the voting process. In the interest of time, we are faxing information to you and request that your response be faxed to us also.

Enclosed please find the following:

1. A letter from the Secretary of State expressing appreciation for your commitment to the program.
2. An Election Worker Information form to be given to employees who may consider working in the program.
3. An Election Worker Questionnaire to be completed by each employee in your company who will participate in the program.
4. An MVP flyer to post on your bulletin board. Please give us a call if you would like to receive a color poster(s) for your office. You may contact Patty Murphy at 816-842-4820 ext. 229.

Please complete an Election Worker Questionnaire for each employee in your organization who will work in the **Making Voting Popular** program and fax as follows:

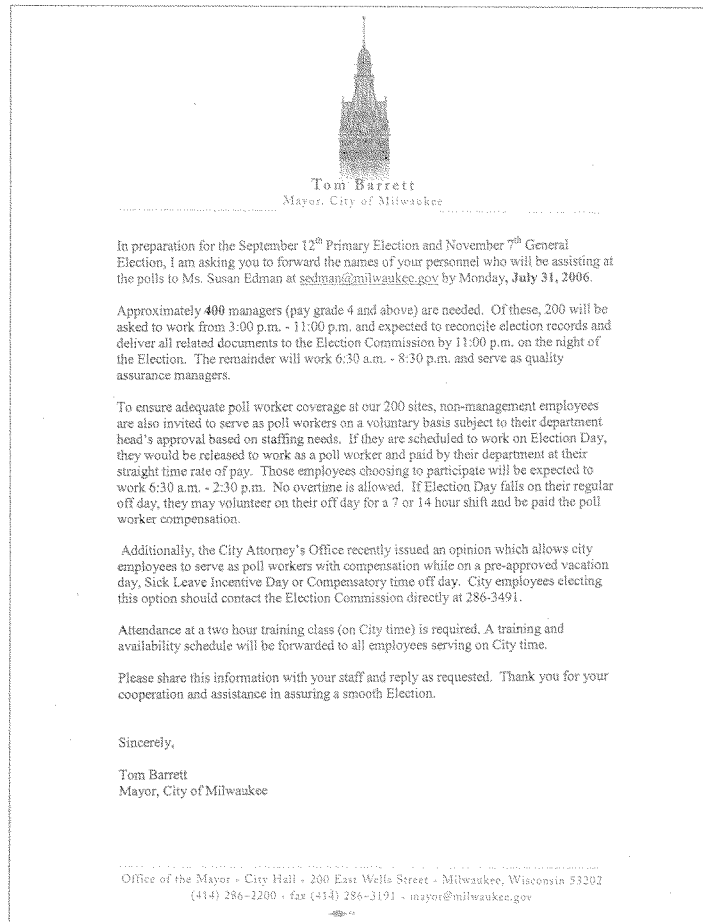
<p>Missouri employees: MVP Program Missouri Office 816 472-4860</p>	<p>Kansas employees: MVP Program Kansas Office 913 791-1753</p>
---	---

Upon receipt of your Election Worker Questionnaires, we will forward a copy of the appropriate training schedule for your employees.

If you have questions or would like additional information, please contact Sharon Turner in Missouri at 842-4820 ext. 238 or Connie Schmidt in Kansas at 782-3441 ext. 3303.

Thank you for your support and welcome to the **Making Voting Popular** program!

Sample #27. Mayor's Letter to City Managers,  
Milwaukee, WI



Sample #28. Board of Commissioners Resolution Creating  
a County Poll Worker Program, Cuyahoga County, OH

The Board of County Commissioners of Cuyahoga County, Ohio

**Resolution in support HB 262**

Authorizing Poll Worker Leave

**Providing for a paid day for Cuyahoga County employees to work the day of November 7, 2006 for the Board of Elections in Cuyahoga County.**

WHEREAS: The Board of County Commissioners has been asked by the Cuyahoga County Board of Elections for county employees to work election day, November 7, 2006; and

WHEREAS, The Board of County Commissioners believes in the election process and wants to encourage our employees to vote and participate more fully in the process, and

WHEREAS, The Board of County Commissioners is supportive of the efforts of the Cuyahoga County Board of Elections efforts to provide a seamless, efficient election day for the voters of Cuyahoga County.

NOW, THEREFORE, BE IT RESOLVED that pursuant to HB 262 and ORC Section 3501.28, the BOCC establishes the following guidelines for county employees to work for the Cuyahoga County Board of Elections on November 7, 2006 as poll workers:

Each agency Director will solicit their own employees to work on Election Day. The agency Directors shall determine the number of employees that may be permitted to work at the polls without unduly compromising the agency's work on Election Day.

Each employee's request to participate shall be given equal consideration. Selection shall be at the Director's discretion and based on the department's operational needs.

To be eligible to participate, employees must sign a written agreement that is approved by the Director or his/her designee. This agreement shall stipulate the length of service required and that there shall be no additional monetary compensation or compensatory or exchange time. Should the employee choose to attend training courses during the employee's regular working hours, such leave is not covered under the Poll Worker Leave provisions and requires a prior request and authorization for leave with vacation, personal or compensatory pay. Leave without pay will not be permitted to attend Poll Worker training courses.

Sample #28. Board of Commissioners Resolution Creating  
a County Poll Worker Program, Cuyahoga County, OH  
(page 2)

The completed forms will be forwarded to The Office of Human Resources, who shall serve as the repository of these forms. The Office of Human Resources shall create a document for the Board of Elections listing names, addresses, and telephone numbers of participating employees, along with any other relevant information requested by the BOE.

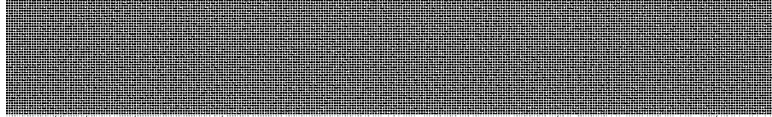
Each employee will complete a Poll Worker Leave Verification Form according to the directions contained therein and shall return that document to their supervisor the day following the election.

To facilitate participation by BOCC employees who are represented by Labor Unions, the BOCC Division of Labor Relations is authorized to obtain the agreement if the unions based on the terms outlined above.

Other elected officials and appointing authorities are encouraged to allow their employees this same opportunity participate under these terms as permitted by ORC 3501.28 to facilitate a flawless election day this year.

This resolution is adopted solely for the November 7<sup>th</sup>, 2006 election day in Cuyahoga County.





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Sample #29. Recruiting Poll Workers With Disabilities  
(photo from Washington, DC, polling place)



## Sample #30. Poll Worker Skill Set, Detroit, MI

**SUPER POLLWORKER**  
**Pastor's Pick**

A person in this position will be trained to handle election day operational troubleshooting responsibilities in any of the assigned polling location. He or she will be accountable to ensure that the precincts as assigned, are functioning competently in serving Detroit's voters on Election Day.

**Minimum Qualifications:**

- Registered Voter in the County of Wayne

**The person must possess the following attributes:**

1. Excellent organizational and customer service skills
2. Managerial/supervisory/coaching and time-management skills
3. Result-oriented and follow up skill
4. City's image-conscious (The Big Picture)

**RESPONSIBILITIES**

Oversee Election Day precinct(s) operation in one polling location as assigned. Upon completion of three (3) days of intensive training, each super poll worker must have adequate skills to perform the following essential functions:

1. (a) Supervise opening of each precinct  
 (b) Processing of Voters  
 (c) Closing the Polls
2. **Have knowledge of the Qualified Voter File (QVF):**  
 (a) Identifying Voter names, understanding different codes in the QVF lists and how to process a coded voter.  
 (b) Understand precinct poll book review; ensuring that vital pieces of information is correctly and completely entered.  
 (c) Knowledge about the different Affidavits and the one to use for a specific situation.
3. **Understanding Provisional Balloting Processes:**  
 (a) Who must vote provisionally and why  
 (b) What documents must be completed  
 (c) Handling completed provisional ballots
4. **Reconciling (balancing) precinct counts:**  
 (a) Poll book  
 (b) Highlighted names in QVF  
 (c) Completed applications to vote.
5. **Knowledgeable about the precinct challenging processes:**  
 Differences between a Challenger, Poll Watcher and Poll Observer  
 (a) Process of appointing challengers  
 (b) Roles and responsibilities of official challengers  
 (c) Challengers Do's and Don'ts  
 (d) Process of challenging a ballot
6. **Precinct election day closing processes:**  
 (a) Generating election day results  
 (b) Removing of the Memory Card  
 (c) Sealing of all envelopes and transfer cases  
 (d) Transporting of envelopes to Department of Elections

Sample #31. Memo to Teachers, Detroit Public Schools,  
Detroit, MI

May 2, 2006

**Draft**

Dear Educator:

I want to thank you, as well as, all other members of my Detroit Federation of Teachers (DFT) family for the support and encouragement that I have been privileged to receive.

One of my goals as the city clerk/chairperson of the Election Commission of this great city is to restore the voters' confidence in the integrity of Detroit's elections. The way to achieve this is to enhance the quality of our service delivery through reorientation of our field workforce.

The purpose of this correspondence is to solicit your assistance as an educator to serve in the capacity of a super poll worker. This is a newly created supervisory position for all polling locations in Detroit. The person in this position upon completion of three training sessions at the Wayne County Community College District (our partner), will be the leader of the operation in the assigned polling location. I strongly believe that as educators, our training placed us in a unique advantage as professionals to serve in these positions.

Compensation for this position is \$275.00 (Two hundred and seventy five dollars) per election. If you are interested, please complete the attachment below and return to the:

**Detroit Department of Elections  
2978 West Grand Boulevard  
Detroit, Michigan 48202  
Attention: Ms. Marina Lee**

If you have any question or need additional clarification concerning this matter, please, feel free to contact Mrs. Rachel Jones at (313) 876-0221 or Mr. U. Edwin Ukegbu at (313) 876-0233. Please feel free to extend this information to other educators who may express interest.

Again, thank you for your support and I look forward to your consideration to serve in this position

Sincerely,

Janice M. Winfrey, City Clerk/ Chairperson  
Detroit Election Commission

## Section Two. Training

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Every 2 years, election officials train more than 1.4 million citizens to carry out a task critical to our democracy. On Election Day, the citizen's right to cast a vote rests not in the hands of election officials but in the hands of poll workers.

Ultimately, poll workers ensure that eligible citizens are able to cast a vote and have that vote counted. Election officials must provide the training and tools poll workers need to carry out these important tasks. How well poll workers carry out their responsibilities reflects the quality of their training and the support they receive on Election Day.

The 2002 passage of the Help America Vote Act (HAVA), the deployment of new voting systems, and the introduction of new procedures and laws have required the reinvention of most training programs. In addition, the heightened scrutiny of elections nationwide has made this training more difficult at times.

This Guidebook presents a wide variety of training methods to address different needs. No matter what method—or combination of methods—are used to keep trainees engaged, keep in mind the following suggestions:

- **Make Time To Develop Your Training Program.** Before developing a training curriculum, election officials need to evaluate post-election debriefing reports and error reports to determine their training needs. Deficiencies provide a focus for subsequent training.

- **Be Realistic in Deciding What To Cover.**

Training experts advise focusing on three main subject areas. In practice, this may mean that introducing a new voting system will limit the other changes you can implement in that election cycle.

- **Build Evaluations Into Your Program.**

Finding ways to evaluate the effectiveness of training and tools before Election Day is critical. Only by testing the understanding of poll workers can you determine whether poll workers will be ready for Election Day.

Developing a high-quality training program takes time, work, and patience. It may require several elections to determine the most effective methods for your office. The reward for this extra effort? Poll workers who will not let you down on Election Day.



## Chapter 13. Training Programs That Work

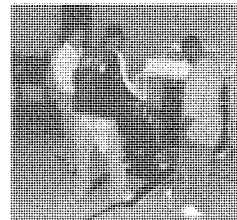
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### In This Chapter

- Tips for Improving Poll Worker Training
- Ideas for Planning a Training Program
- Customize by Position and Experience
- Benefits
- Pitfalls and Challenges

#### Tips for Improving Poll Worker Training

- **Use Visual Aids.** Create poster-sized signs to reinforce the most critical information and incorporate them into the training. For example, one poster might remind poll workers to take out the memory cartridges from each voting machine at the end of the night. Another poster might remind them to make sure provisional voters sign the provisional ballot application. A third poster might remind them of where to find troubleshooting information. Consider posting actual polling place signs around the room where the training is held. Create extra-large samples of forms. Adult learning experts have found that merely by having trainees shift their gaze away from the front of the room can help them retain information.
- **Mirror Election Day in Training.** Make sure that all the materials used in training—the opening checklist, the list of voters, the paperwork, the job guides—will be exactly the same on Election Day.
- **Use Job Aids.** A job aid is a tool for reminding poll workers how to perform a specific role or task at the polling place. It should be short—no more than one page—and easy to read. For example, you might have job aids for tasks such as checking the list of voters, assisting voters whose names are not on the list, or assisting voters with ballot machines.
- **Visit Other Jurisdictions.** Visiting another jurisdiction's training session may give you new ideas. Also, as an observer, you may see problems or pitfalls that you did not notice in your own training because you were too busy conducting the training.
- **Get Feedback From Poll Workers.** Invite poll workers to provide feedback on the training program. Develop specific questions such as, "Did you feel confident in your ability to open the polls after training?" or "Did you encounter anything on Election Day that was not covered in training?" and "What can we do better?"



### Ideas for Planning a Training Program

- **Review Poll Worker Performance in the Last Election.** Were certain kinds of errors common across the jurisdiction? Did you get feedback from the poll workers about their training? If not, consider sending a survey to poll workers asking for feedback on training. Identify the top three problems experienced in the last election and use them to set the priorities for subsequent training.
- **Review the Content of Your Current Training Sessions.** It may be more effective to familiarize poll workers with the manual than to take up valuable time reviewing all of it in the training session. Make a list of topics that could be deleted or abbreviated.
- **Review the List of Election Day Supplies.** Are they all necessary, or have changes in procedures or voting systems made some of them obsolete? Are they easy to find on Election Day, or is there a better way to pack them so that nothing gets lost?
- **Review the Training Manual.** Does it need to be revised to reflect changes in procedure or new equipment? Is the information clearly presented? Ask one of your newer poll workers to read the manual and identify the topics they found confusing.
- **Consider Separate Training for Experienced and New Poll Workers.** If you are not implementing major changes, it may be more effective to separate experienced and new poll workers. If you train all poll workers together, consider using more experienced poll workers to help train new poll workers.
- **Determine What Poll Workers Could Take Home to Review.** The manual? A training video? A quiz or scenarios to work through? A copy of the presentation?
- **Consider a Pay Increase for Attendance.** If you are implementing new procedures or want to conduct a more intensive training class, improving poll worker pay may increase the number and quality of people who attend.
- **Determine the Equipment and Supplies Needed.** If you are introducing new voting equipment, you will need several voting machines so that poll workers can practice using them. If the format of materials such as the provisional ballot application, the voter list, or the precinct map has changed, make sure the revised versions are available for training.

### Pre-Election Troubleshooting

- *Has there been a law change? (Example: a new requirement to provide ID or a change in the number of voters in a precinct.) If so, what will the impact be, if any, on poll worker recruiting and training?*
- *Is there a new mandatory procedure? (Example: a new format of the provisional ballot envelope.) If so, what will the impact be, if any, on poll worker recruiting and training?*
- *Has a new voting technology been introduced? (Example: new voting machines, new electronic poll books, new scanners.) If so, what will the impact be, if any, on poll worker recruiting and training?*
- *Has a new vendor or supply source been introduced? (Example: new ballot supplier or election supply delivery service.) If so, what will the impact be, if any, on poll worker recruiting and training?*
- *Are there any new security procedures? (Example: new badges, new tamper tape.) If so, what will the impact be, if any, on poll worker recruiting and training?*
- *Are there any particularly high-profile issues in the election? (Example: any current political or partisan concerns such as anticipated close races or special observers.) If so, what will the impact be, if any, on poll worker recruiting and training?*

- **Choose Qualified Poll Worker Trainers.** The best trainers often have high energy levels and dynamic personalities. Poll worker trainers must also be able to dedicate time to managing and conducting training sessions.

#### Customize by Position and Experience

##### Use Customized Training To—

- Ensure thorough coverage of topics for novice poll workers.
- Enable experienced poll workers to develop expertise in specific areas.
- Provide indepth coverage of position-specific duties, such as the electronic poll book.
- Create precinct teams of complementary skilled individuals rather than generalists.

Differences of opinion exist on the benefits and disadvantages of tailoring poll worker training to specific positions and skill levels. Jurisdictions should explore and adapt practices appropriate for their environment.

#### Benefits

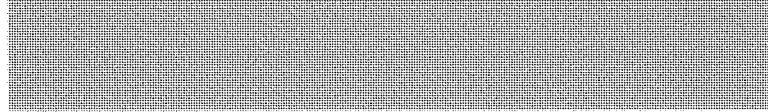
- Organizing a training program according to poll worker positions enables trainers to go into more depth about specific procedures and forms. They can also create customized role-play scenarios. Moreover, poll workers appreciate seeing exactly what they are supposed to do on Election Day and can ask more focused questions.
- Separating new and experienced poll workers enables trainers to tailor the presentation of material to the different needs of the groups. With new poll workers, trainers can move slowly to ensure that all the basic topics are covered. With more experienced poll workers, trainers can review basic points and then devote more time to new or complicated procedures.

#### Pitfalls and Challenges

- Customized training according to poll worker position creates additional logistical challenges. Assignment to training classes requires more coordination than for one-size-fits-all programs, and if a poll worker assigned

#### Tips

- *Jurisdictions may wish to conduct general training before a primary election to ensure that everyone is familiar with all basic issues. They can change the format before the general election so that poll workers can use their recent experience to ask specific questions and participate in more focused role playing.*
- *Jurisdictions seeking to experiment with training by job position may wish to consider conducting nonspecific team training for classes leading up to a primary election so that everyone can become familiar with all the basics. In preparation for a general election, the format can be changed to training by position so that poll workers can debrief according to their recent experience, be prepared to ask focused questions, and participate in role playing.*



to a specific job does not show up on Election Day, the absence leaves a vacancy in the poll worker team's skill set.

- Classes geared by experience may lead to uneven class sizes.
- Trainers may assume that experienced poll workers have a larger knowledge base than they actually do.



## Chapter 14. Planning for Change

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### In This Chapter

- Managing Change at the Polling Place
- Poll Worker Assignments
- Implementing a New Voting System
- Revamping and Testing Training Materials
- Hands-On Training
- Providing Election Day Technical Support
- Troubleshooting Materials
- Call Center Support
- Field Technicians/Rovers
- The Practice Makes Perfect Model

#### Managing Change at the Polling Place

An election is a complex process, and a change in any aspect of election administration affects what the poll workers do on Election Day.

Smooth transition to new systems or procedures requires communication with elected officials, politicians, voters, poll workers, community organizations, the media, the election staff, and voters.

Consider forming a steering committee made up of staff and poll workers to oversee the process. These poll workers can also serve as a focus group for testing changes in forms and procedures. Experienced poll workers can provide valuable input on what will or will not work in the polling place on Election Day. These poll workers can also serve as "change ambassadors," helping to build critical support from new poll workers later in the process.

#### Forms, Supplies, and Paperwork

- **Conduct a Thorough Review of All Forms That Might Be Affected by the Change.** When drafting revisions of any forms, be sure to include all relevant staff in the revision process.
- **Allow Plenty of Time To Revise Forms.** In setting a deadline for getting forms printed, remember to count back from the start of training.
- **Test the Forms.** Consider bringing in poll workers to test the usability of the forms. Have the poll workers fill out the forms and identify any problems that arise.

*In planning how to administer changes in polling place operations, identify the staff and stakeholders who will be affected, including—*

- Warehouse personnel.
- Print shops.
- Election supply vendors.
- Trainers.
- Party officials.
- Officials responsible for nominating or appointing poll workers.
- Polling place contacts, such as school and church administrators.
- Recruiters.
- Poll workers.

- **Make the Forms Self-Explanatory.** A form that is too complicated increases the likelihood of error. Poll workers are tired at the end of Election Day, and they may not have the patience to figure out calculations and complicated procedures.

#### Poll Worker Training Manuals

Your poll worker training manual is more than a handy tool. It is a legal document that codifies Election Day polling place rules. Revising your manual requires time and careful attention.

Revising your poll worker training manual goes hand-in-hand with revising the forms.

Training poll workers on new equipment and procedures requires revising the materials used. Review current training materials and identify those aspects of the process that will be changing and those that will not. Training materials should highlight the most important aspects of any transition.

#### Poll Worker Assignments

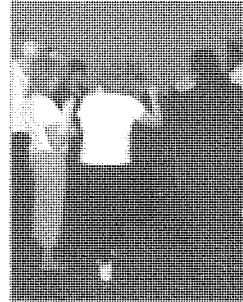
Reduce potential problems on Election Day by pairing experienced poll workers with new poll workers.

In making the transition to more sophisticated equipment, consider creating a poll worker position dedicated to resolving technical problems at the polling place. In some jurisdictions, these precinct technicians are not considered official poll workers and, therefore, are not subject to residency and age requirements.

#### Implementing a New Voting System

Implementing a new voting system is a huge undertaking, and there can be no mistakes. Poll workers responsible for rolling out computer voting systems typically have little or no technical expertise.

When launching a new system, everyone needs training: staff, media, candidates, campaign workers, elected officials, poll workers, and voters. A successful training program will enable everyone to understand the new systems, be confident in their ability to use them, and know how to obtain support on Election Day. In many instances, poll workers must open the polls within 1 hour of arrival, and inadequate training can result in high stress levels on Election Day morning.

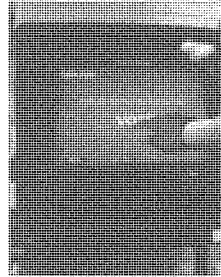
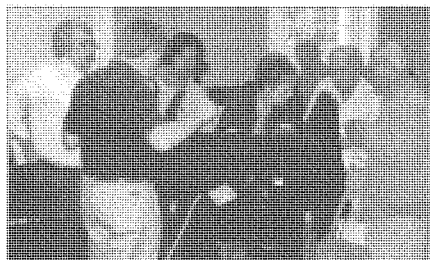


### Revamping and Testing Training Materials

- Draft the training materials—the election manual, the training guide, hands-on exercises, and the video script—while using an actual voting machine programmed for the election.
- Write (and possibly illustrate) simple instructions for opening and closing the machines based on the vendor-provided instructions and your own experience with the practice machine. Use direct, easy-to-understand verbs such as “Open,” “Touch,” and “Select.”
- Test the accuracy and quality of the instructions by having staff work in teams of two, with one person reading the instructions and the other person doing the work. Time this activity to determine how long it will take on Election Day.
- Observe poll workers in a practice session as they follow the instructions for using the new equipment. If poll workers have trouble, the instructions probably need to be revised.
- Build poll workers’ confidence and familiarity with the setup procedures by using the same supplies and checklists during training sessions that they will use on Election Day.

### Hands-On Training

- Hands-on training classes with new equipment are critical. Make sure you have enough new systems available at training classes to allow each poll worker enough time to complete the desired function twice and to observe others completing the function. Two to six poll workers per machine is optimal. With larger groups, some people will never touch the machine, or trainers will have to make an extra effort to ensure that all poll workers engage the machine.



*Election officials interviewed for this EAC guidebook stress that components of a successful poll worker training program for deploying a new voting system should include—*

- Training inhouse staff.
- Simple opening and closing instructions.
- Poll workers’ hands-on training.
- Simple voter instructions.
- “Practice makes perfect” sessions.
- Specialized training for Election Day support staff.
- Election Day telephone support.

*Teams of poll workers set up a voting machine by consulting their manual and job aids, Franklin County, OH, spring 2006.*

- Train people in pairs to reinforce the requirement of working in teams when opening and closing the voting machines on Election Day. Have them play both roles: one team member reads the instructions and documents the actions, while the other team member does the work.
- Self-paced, hands-on practice between the training class and Election Day is valuable. In many jurisdictions, training sessions occur 2 to 4 weeks before Election Day, which is plenty of time to forget a lot of details. Practicing before election morning allows poll workers to make mistakes, correct them, and build confidence.

#### Providing Election Day Technical Support

No matter how effective, thorough, and professional the poll worker training, providing a sufficient level of technical support on Election Day is critical.

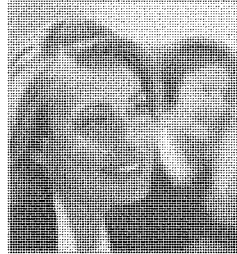
#### Troubleshooting Materials

Make sure each precinct has an easy-to-use guide that gives step-by-step instructions for solving the most common problems. Be sure the guide provides the call center phone number. Include the troubleshooting guide in the manual, and make sure the training class includes instructions on how to find and use this section of the manual.

#### Call Center Support

Set up a call center at the central election office and provide every precinct with the phone number. Put the phone number in several places, including the open/close instruction sheets, the election manual, the troubleshooting guides, and the election supplies, and on stickers on the equipment.

Staff the call center with technicians who have had specialized training. Have the technicians document each call, including the time the call was received, the precinct the call came from, the name of the poll worker calling, a description of the problem, the machine serial number, the resolution, and when the call ended. Provide the call center staff with a more detailed support guide with instructions for solving problems that may arise. Be sure the machine vendor has a call center that will provide backup support for your call center staff. Be sure the call center staff knows what to do if they cannot resolve the problem, and include instructions on how to deploy a field technician/rover.



***For major changes, such as voting equipment changes, create a multitiered support system that includes the following components:***

- Troubleshooting materials at the polling place.
- A call center staffed by technicians who can talk poll workers through problems over the phone.
- A staff of mobile technicians who can go to polling places to solve complex problems.

Most calls will come in around the opening and closing of the polls, so schedule staff accordingly.

#### Field Technicians/Rovers

Field technicians/rovers are the third tier of Election Day support for the poll workers. They often are specially trained election office staff or government employees from county and city information technology (IT) departments. Each is assigned to help the precincts in a specific geographical area.

Make sure all field technicians/rovers keep a log of their activities, including the polling places they visit and the support they provide. By reviewing this information and debriefing after each election, election staff can decide when the poll workers have reached a confidence level when the IT support staff are no longer needed on Election Day. This usually takes several elections.

During the first election, instruct field technicians/rovers to visit each polling place in their area before the polls open. Throughout Election Day, have the field technicians/rovers circulate among the polling places, providing assistance as needed. Before the close of the polls, the field technicians/rovers should visit the locations again to ensure that the poll workers are prepared to close the voting machines.

Consider recruiting a supplemental support crew for the first election using new equipment. Partner with county and city IT employees, and assign each to provide support to two or three polling places each. Ask each to be on standby at one of the assigned polling places in the morning and at another one in the evening. Encourage the supplemental support crew to give assistance only when requested by the poll workers. The poll workers should attempt to solve problems themselves, but if they encounter difficulties with the new equipment, the IT support crew will be onsite to reinforce the correct procedures.

#### The Practice Makes Perfect Model

The Practice Makes Perfect model supplements hands-on training in jurisdictions that deploy new voting equipment on Election Day.

Poll worker training sessions begin as many as 6 to 8 weeks before Election Day. The Practice Makes Perfect model provides a refresher on opening, operating, and closing the new voting equipment in the week before Election Day.

Here is how it works: invite poll workers to drop in to various locations throughout the jurisdiction during the week before Election Day. During the sessions, poll workers can open a voting machine, print the zero report, process a voter, cancel a ballot, run the end-of-day results tape, and close the voting machine. Poll workers can practice at their own pace. Staff the Practice Makes Perfect sites with experienced precinct chiefs to get the poll workers started, provide help when necessary, and check the results.

Depending on the size of your jurisdiction, you may need one or many Practice Makes Perfect locations. If your jurisdiction is large, make sure locations are geographically dispersed to increase the likelihood that poll workers will stop by and practice on their own.

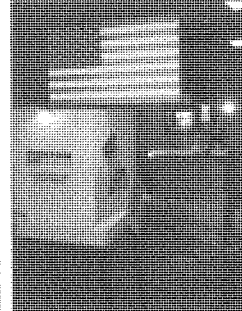
#### **Purpose and Benefits**

The Practice Makes Perfect Model—

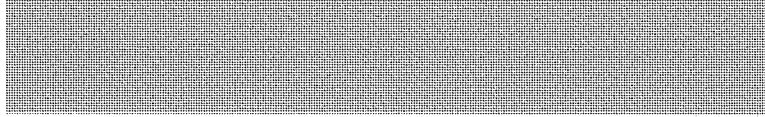
- Provides a nonthreatening, low-pressure environment for poll workers to practice using the new equipment before Election Day.
- Reinforces the poll workers' confidence level and ability to manage the equipment, ensuring a smooth startup on Election Day morning.
- Reduces the likelihood of poll worker errors on Election Day.

#### **Resources Needed**

- Reserve space, prepare materials, and train staff in advance. The precinct chiefs should be skillful communicators who are comfortable with giving instructions.
- Aside from the election office, ideal sites for Practice Makes Perfect are other government buildings such as civic centers, libraries, and city halls. County and city offices can make a substantial contribution by donating the use of their space.
- Assemble adequate supplies, ensure that the voting machines are ready for use during the Practice Makes Perfect period, and arrange for transportation of the machines to the sites.



*Sample #32. Flyer Inviting Poll Workers To Attend Practice Makes Perfect Training (page 134)*

**Evaluation**

- By tracking the visits to the Practice Makes Perfect locations, election officials can determine how many poll workers at each polling place attended a practice session. Ideally, at least one poll worker from each polling place should visit a Practice Makes Perfect location.
- Even though poll worker attendance at the Practice Makes Perfect location is voluntary, the desire to do a good job on Election Day provides the necessary incentive to participate.
- Provide the opportunity for poll workers to give feedback at each of the Practice Makes Perfect sites.

## Chapter 15. Training Tools

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### In This Chapter

- Hands-On Training
- The Perfect Polling Place Simulation
- Role Playing Techniques
- Peer-to-Peer Techniques
- Interactive Techniques
- Job Aids
- Slide Presentations
- Videos
- Online Training

#### Hands-On Training

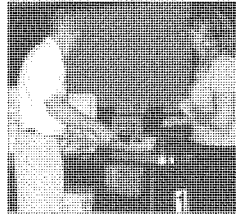
This chapter illustrates several training techniques and tools that have been proven to improve adult learners' comprehension and retention of information. Use them to improve poll worker performance on Election Day.

Hands-on training is critical when teaching people how to perform any kind of mechanical procedure. Poll workers need to see how a power cord attaches to a machine, to practice pulling out the legs of a voting booth, to feel how a machine component snaps into place, to run through all the instruction screens on a voting system, and to practice replacing a roll of paper.

Hands-on training should include an introduction that provides a brief orientation to the equipment and a discussion of its advantages.

Poll workers need guidance during hands-on training. There are various methods for providing that guidance. In a centralized model, a single trainer directs small teams of no more than five poll workers as they practice each part of the process. With this model, the trainer will need a support staff to provide more detailed guidance and answer questions. Using a less centralized model, a trainer is assigned to each poll worker team to provide instruction and supervise the practice. With either model, it is critical that the poll workers, not the trainers, work with the machines.

The training should replicate the Election Day process exactly. For example, if poll workers are being trained to operate a new voting system, the training should include machine setup, printing of the opening and closing tapes, and completion of all necessary opening, midday, and closing forms.



#### Hands-On Training

*Hands-on training is particularly effective for teaching poll workers how to—*

- Set up equipment.
- Open and close voting machines.
- Prepare voting machines for voting.
- Print out zero tapes and results tapes.
- Scan ballots.
- Remove memory cartridges.
- Use an electronic poll book.



The hands-on training should allow time for poll workers to make mistakes and figure out for themselves how to correct or avoid them.

Hands-on training should also include a variety of scenarios that poll workers are likely to encounter on Election Day, such as voters who leave before casting their votes and power failures.

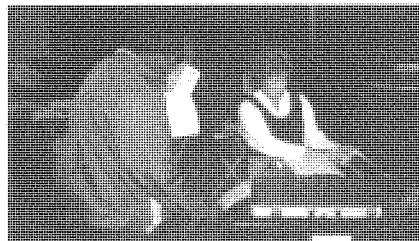
#### Benefits of Hands-On Training

The hands-on training model—

- Allows poll workers an opportunity to handle all of the supplies and checklists necessary to open the voting machines on Election Day.
- Supplements and reinforces the oral training and written election manual.
- Builds poll worker confidence, which may reduce the pre-Election Day dropout rate.

#### Resources Needed

- Hands-on training for new voting systems requires making a sufficient number of voting machines available in demonstration mode so that teams of two or three can work with a machine. The machines should be programmed so that poll workers practice using the ballots that will be used on Election Day.
- Hands-on training for new voting systems also requires a space large enough to accommodate all the teams and their machines.
- All supplies and checklists that will be used on Election Day must be incorporated into the hands-on training. For example, if poll workers are required to break seals on Election Day, they should break seals during the hands-on training.



#### Tips for Success

- *The hands-on training should mirror the exact procedures and supplies that poll workers will encounter on Election Day. If you plan to use job guides or "reminder sheets," make sure poll workers learn how to use those tools during the training.*
- *Do not scrimp on the number of machines or the number of trainers. Keeping the size of the poll worker teams low ensures that all poll workers will practice and become familiar with the equipment.*

A trainer and poll worker run through a HAVA "over vote" scenario at the D.C. Board of Elections and Ethics, September 2006.

### Pitfalls and Challenges

- Space in the training rooms may be a problem. Consider conducting the hands-on training in the warehouse where the equipment is located, or arrange to use larger training rooms outside your facility.
- Adequate staffing is vital to the success of hands-on training. The ratio of poll workers to trainers should be no larger than 6:1. Consider using technicians or experienced poll workers as trainers.
- Hands-on training may take longer than traditional training methods. Some jurisdictions provide an added monetary bonus or incentive to attend a longer or second training session.
- Some jurisdictions may have an insufficient supply of extra voting equipment for hands-on training.

### Evaluating the Training

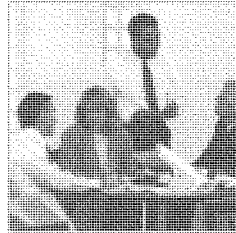
- Establish a method for poll workers to note problems they experience on Election Day. Monitor the calls coming in on Election Day from precincts.
- If you already require poll workers to note problems on Election Day, compare the list of problems before implementing station training with the problems encountered after training.

### The Perfect Polling Place Simulation

Opening a polling place on Election Day is comparable to setting up an office, orienting new employees, and welcoming customers within 1 hour. The Perfect Polling Place simulation facilitates the process by giving poll workers the chance to familiarize themselves with the layout and operation of a polling place ahead of time.

The concept of the Perfect Polling Place simulation is simple: create a polling place prototype, much like a model show room. It is much easier for poll workers to understand what needs to be done on Election Day when they can see, touch, and walk through an actual polling place as a part of their training session.

The prototype should look exactly like an Election Day polling place, including outdoor signs, interior signs, instructions, sample ballots, check-in supplies, forms, and the voting equipment.



### Models for Varying Class Sizes

#### Jurisdictions With Small Classes

Conduct the hands-on segment of the training class at a voting unit station. The station should consist of a sufficient number of machines and all the relevant forms and materials to enable poll workers to practice all the tasks required on Election Day.

Staff the stations with trainers who can provide guidance and answer any questions.

#### Jurisdictions With Large Classes

Jurisdictions with large classes may limit the number of poll workers at each class session and offer multiple sessions. This reduces class size and provides more poll workers the opportunity to practice with the voting equipment.

If a large class size makes it impossible for poll workers to spend some hands-on time with the voting equipment during regular training sessions, the Practice Makes Perfect model enables poll workers to drop in at their convenience to practice operating the voting machines.

Have trainees watch experienced poll workers operate the Perfect Polling Place and have trainees perform the various tasks under their supervision.

#### Benefits of the Training Simulation

##### The Perfect Polling Place—

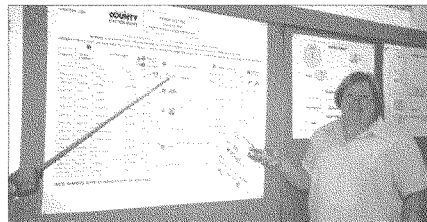
- Provides an opportunity for poll workers to review placement of supplies and signs and practice how they will process voters on Election Day.
- Reinforces content of the training with a demonstration.
- Reduces anxiety for new poll workers by familiarizing them with the polling place in a calm, safe environment.

#### Resources Needed

- Samples of all materials used at each polling place must be ready for demonstration at the training session. If multiple training events are conducted simultaneously, multiple copies of sample materials are needed.
- Space for a mock polling place at the training location should be provided.

#### Pitfalls and Challenges

- It is best to have space comparable to an actual polling place, but you can create an adequate substitute with free wall space and a few tables and chairs.
- For offsite training sessions, setting up a Perfect Polling Place reminds staff members of what poll workers will experience on Election Day. Consider assigning this task to tenured poll workers serving as assistants to the training staff.



Sample #33. Photo of Perfect Polling Place Room From Johnson County, KS, Digital Photo (page 135)

#### The Perfect Polling Place Simulation Helps Poll Workers Learn How To—

- Set up a polling place.
- Post signage.
- Check supplies.
- Arrange voting machines.
- Promote efficient processing and flow of voters.

A trainer at the St. Louis County, MO, Board of Elections employs a demonstration-sized version of an actual voter roster page, August 2006.

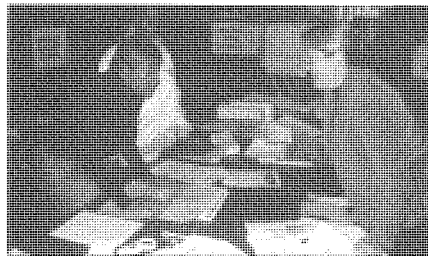
- Use poll workers and staff members to perform various roles on the Perfect Polling Place stage.

#### Role Playing Techniques

Role playing helps trainees learn how to—

- Check in voters.
- Ask for identification.
- Process provisional voters.
- Handle special situations, such as angry voters, lost voters, or challenges.
- Assist voters with voting machines.
- Assist voters who have disabilities.
- Prevent electioneering.
- Handle Election Day observers or poll watchers.

Role playing teaches poll workers not only administrative procedures but also appropriate interaction with voters. Develop a variety of likely scenarios and create a Perfect Polling Place as a stage for the role play. As with all training, the materials and setup for role playing should mirror what the poll workers will encounter on Election Day. If you will be using job aids or a reminder sheet, those materials should be available.



*A trainer enacts a scenario with a first-time check-in clerk, D.C. Board of Elections and Ethics, November 2006.*

*Sample #34. Sample Role-Playing Exercises (page 136)*

*Sample #35. Scenarios To Enact Through Role Playing (page 137)*

### Benefits of Role Playing

#### Role playing—

- Provides a real-life Election Day experience.
- Creates a comfortable environment for poll workers to share problems they have encountered on Election Day and discuss additional problemsolving techniques.
- Reduces anxiety for new poll workers.

### Resources Needed

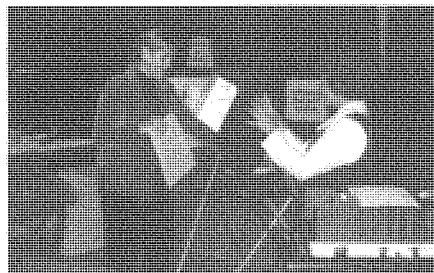
- Develop the scenarios ahead of time. They need not be longer than a paragraph.
- Demonstrate as many scenarios as possible to provide poll workers with solutions for problems that may occur on Election Day.

### Pitfalls and Challenges

The training location needs sufficient space to set up a mock polling place.

### Evaluating the Role Playing

The role playing should occur toward the end of the training session and reinforce the material covered. Listen to questions that arise during the exercises to evaluate the other components of the training program.



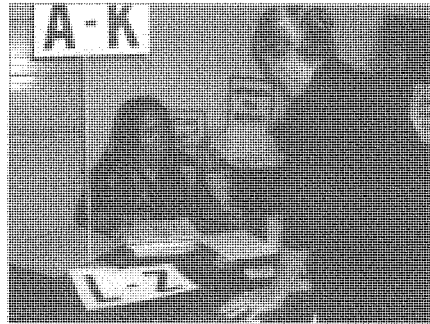
*Trainers play the roles of poll worker and voter, D.C. Board of Elections and Ethics, November 2006.*

### Peer-to-Peer Techniques

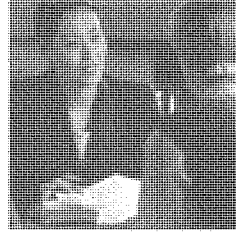
Experienced poll workers have a wealth of information, so make good use of them to help train their colleagues. By putting poll workers in the position of trainers, you also send an important message that you value their experience and knowledge.

Implement peer-to-peer techniques by grouping experienced and inexperienced poll workers together for role-playing and hands-on exercises or by recruiting experienced poll workers as training assistants.

Working in teams of two or in small groups, experienced and inexperienced poll workers can pool their knowledge. To incorporate experienced poll workers into the instruction more explicitly, ask them to tell stories about how they handled situations such as machine malfunctions, voter challenges, or missing ballots. Work with them in advance so you know what story they will tell and how you will make use of it. You may be able to prepare experienced poll workers to field questions on a particular topic. If you do this more than once during a training session, focus each time on a different topic and a different poll worker.



Sample #36. Sample Check-in Clerk Job Guide From District of Columbia's BOEE (pages 138–139)



### Benefits

*Peer-to-peer techniques allow poll workers to—*

- Learn from each other's experiences.
- Practice working together as a team.

### Resources Needed

- Divide participants into small groups and plan activities focused on specific topics of instruction.
- For small group training, adequate space will be needed.
- Allot time to divide participants into groups and have them get to know each other before beginning the activities.
- If you are enlisting experienced poll workers, you will need time to work with them in advance of the training.

*A poll worker, who has mobility and sight impairments, effectively leads discussions of sensitivity issues during training classes at the D.C. Board of Elections and Ethics.*

The following examples illustrate how to use peer-to-peer training to familiarize trainees with the poll worker manual:

- **Think-Pair-Share.** This one-on-one strategy requires course participants to use a designated portion of the election manual to solve a case study. One trainee devises a solution and shares it with a partner, who then evaluates it based on established criteria. They then reverse roles for a subsequent case study.
- **Small Groups.** Divide the participants into groups of 6 to 10. Each group member gives the rest of the group a 3-minute overview of a particular chapter of the election manual.
- **Group-to-Group.** Each group gives an overview of an election manual chapter to the other groups.

#### Pitfalls and Challenges

Peer-to-peer instruction needs to be carefully structured. Do not say, "Talk among yourselves," and expect that participants will get the information they need. Provide specific instructions, guidance, and learning objectives for each activity.

#### Evaluating Your Training Program

Administer a quiz on the training topics, including those presented through peer-to-peer methods. If most people correctly answer the questions associated with the peer-to-peer methods, assume the techniques are effective.

#### Interactive Techniques

The more you engage your trainees in the training process, the better. Adding an interactive component to the training program can be as simple as sprinkling questions throughout the session or as elaborate as devising a question-and-answer game with prizes. The trainer should also pose questions to the poll workers and should encourage their questions throughout the session. Asking questions will help you—

- Assess what people already know.
- Determine if participants understand the material.
- Engage the participants.

#### Tips for Successful Implementation

- *Be sure that your answer key is correct. One jurisdiction reported that the training class descended into chaos when the answer key contained incorrect answers.*
- *After you ask a question, allow time for the poll workers to formulate a response. If they give an incorrect answer, ask them why they came up with that answer and if anyone else can think of a reason it might be different.*
- *Poll workers should be given a copy of the questions, either before they come to class or as they begin training. Trainers note that poll workers seem to understand the questions better if they can read the words.*

#### Interactive Training Should Be Used To—

- *Keep poll workers engaged in the training.*
- *Reinforce key information that poll workers must know on Election Day.*
- *Help poll workers determine for themselves what they do not know.*
- *Encourage interaction among poll workers.*

Sample #37, 20 Questions—Set One (pages 140–141)

Sample #38, 20 Questions—Set Two (pages 142–143)

- Call attention to a particularly important or complex issue.
- Stress a key point, concept, or procedure.

Questions also facilitate interaction among the trainees. After presenting a topic, give participants a few questions they can answer individually. Then ask them to compare their answers in a small group.

Consider asking trick questions to keep everyone on their toes, and inject a little humor into the training session.

Even simple games inject a lot of energy into any training session. For example, pose questions that individuals or teams compete to answer first. Or create Jeopardy-style categories from important training topics and develop five questions for each. Consider awarding prizes for each correct answer or the highest cumulative score.

**Frequently Asked Questions (FAQs):** Create a sheet of 10 to 20 typical questions and answers based on the training topics. Give the sheet to participants to take away from the training.

If designed correctly, the sheet of questions could serve as a job aid on Election Day.

#### **Tips for Successful Implementation**

- Encourage poll workers to ask questions throughout the training session. Telling them to hold all their questions until the end increases the likelihood that their attention will wander.
- Intersperse short content presentations of 5 to 7 minutes with periods for questions.
- Make sure you KNOW the answers to the questions you ask, and plan how to handle incorrect answers from the participants. Figure out how to handle questions that stump you, and bring knowledgeable colleagues and the election manual.
- Make questions specific. For example, ask, "What are the four conditions under which a voter should be given a provisional ballot?" rather than, "Do you understand provisional ballots?" Being more specific tells participants there is a correct answer, that incorrect answers are unacceptable, and that they will be accountable to know this information.
- Clarify how and when participants may ask questions during the training: At any time? After each short presentation? Written on index cards?

#### **Sample Interactive Training Exercise**

##### **Engaging Your Poll Workers: 20 Questions**

*Posing questions to poll workers can be a fun and effective way to preview and review the most important points covered in class. By calling out responses as a group, poll workers are less likely to feel they are being tested.*

*Play the first 10 questions at the beginning of class. Including silly responses with the correct ones can be an engaging ice-breaker. Remind veteran poll workers that there may be some changes since the last time they served, and advise new poll workers to note the new terms that will make sense to them by the end of class.*

*Play the second set of 10 questions near the end of the training sessions. Consider rewording some of the first 10 questions so that you can note which poll workers got it, which ones are confused or stubbornly holding on to how it used to be, and which themes may need to be emphasized in future training sessions.*

*How To Prepare Your 20 Questions. Choosing the best set of questions may take a bit of time. Work with staff and veteran poll workers to identify the key issues that trainees must understand. Be sure to include questions that relate to new procedures.*



- Explain that you use questions to gauge experience and understanding, to reinforce the presentations, and to have fun.

#### Job Aids

On Election Day, poll workers find themselves in a fast-paced environment, often struggling to remember important information they learned weeks earlier in their training sessions.

Job aids provide a quick visual reminder of important steps and procedures. They come in various shapes and sizes—from a full-page laminated “cheat sheet” to a sticker on the outside of a voting machine or a reminder attached to the zipper pull of a supply suitcase.

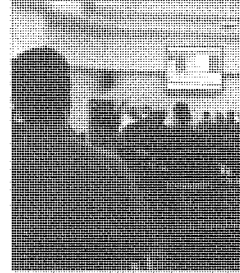
Strategically placed job aids provide reassurance and save poll workers the time and stress of looking through the training manual on Election Day.

#### Slide Presentations

A picture is worth a thousand words—especially when you are teaching people about complicated procedures and machinery. An onscreen presentation can add this crucial visual component to poll worker training and ensure consistency across training sessions and trainers.

Consider using the following graphics to illustrate important topics:

- Layout of the polling place.
- Sample pages from the list of voters.



#### Tips for Successful Implementation

- Reduce the risk of technological glitches.
- Practice giving the presentation using the file, computer, and digital projector that will be used for the presentation.
- Allow plenty of time to set up the computer and projector before the presentation.
- Match the projector's resolution to your laptop's resolution. Do not assume your presentation will work on another person's computer.

Sample #39. Job Aid A (page 144)

Sample #40. Job Aid B (page 145)

Sample #41. Training Workshop Sample Slide Presentation: Imaginary County (page 146)

Sample #42. Training Workshop Sample Slide Presentation: Basic Training (page 147)

Sample #43. Training Workshop Sample Slide Presentation: Case Study (page 148)

- A flowchart showing the sequence of processing regular voters, voters who have moved, provisional voters, and lost voters.
- Sample forms.
- Sample pages from the road guide.
- Sample precinct map.
- Timeline of Election Day activities.

Presentation slides can include some animation, which could be very useful for demonstrating mechanical procedures or filling out forms.

In addition to providing explanatory graphics and pictures, presentation slides can reinforce important points the trainer needs to make and help poll workers learn new terminology.

Presentation slides can also be used to add an interactive component to training. The trainer can ask a question of the audience and, after the correct answer has been given, show the answer.

#### Resources Needed

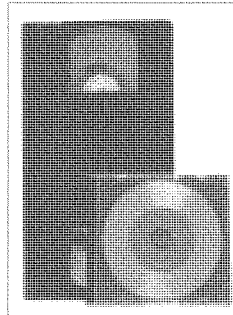
- Presentation software.
- Laptop computer or portable memory.
- Digital projector.
- Electronic versions of all graphics.

#### Pitfalls and Challenges

- Creating an effective presentation requires careful planning.
- Technological glitches with the file, laptop, or digital projector can sabotage the presentation.
- Transferring photographs and other images to an electronic format can be time consuming.

#### Videos

Videos dramatize interpersonal aspects of working at the polls, such as assisting voters who have disabilities. After they have been produced, training videos are less expensive than poll worker manuals. They minimize inconsistencies in classroom training and ensure that all poll workers receive the same information.



#### Tips for Successful Implementation

- *Anticipate how the video will be used: for private viewings, face-to-face training sessions, or broadcast on local public-access cable stations.*
- *Include only procedures that are unlikely to change. A training video must be used for multiple election cycles to be cost effective.*
- *Rehearse the script before production.*
- *Circulate the script among people who don't know anything about elections to ensure the script is easy to understand.*
- *Double-check and triple-check the accuracy of the script.*
- *Cover only the essential points, not every detail.*

Videos emphasize particular topics. For instance, the North Dakota Secretary of State produced "The Right to Vote: Accessible Options" to provide sensitivity training and teach poll workers how to help disabled voters. ([www.nd.gov/sos/electvote/voting/videos.html](http://www.nd.gov/sos/electvote/voting/videos.html))

#### Resources Needed

- Videos require time to develop or write the script.
- Professionally produced videos typically require a significant outlay of money. Factors that drive up costs include—
  - Using professional actors.
  - Renting locations for shooting.

#### Pitfalls and Challenges

- Videos are difficult to update and can become obsolete quickly.
- Videos may be expensive to produce.
- Procurement of a production company and production itself take a long time.

#### Tips

- Enlist actual poll workers as actors.
- Partner with a local television personality, such as a news reporter or anchor, to serve as the narrator.
- Partner with a media communications class at a local college or university to produce the video (allow more time than with a professional production company).
- Consider pooling resources with other jurisdictions that have the same training needs.

#### Video Training Techniques

- Repeat each essential point at least three times in the video.
- Make the video more interactive by posing questions and reserving time to think about them or pausing for discussion.
- Include interviews with experts.

- Include interviews with poll workers to increase their familiarity with the information.

#### Dissemination

- Make copies available for poll workers in both VHS and DVD format.
- Make the video available on your Web site.
- Partner with a local cable station to show the video. Notify all poll workers when it will air.
- Make copies available at local libraries.

#### Evaluating the Video Training

If you are giving copies of the video to poll workers to watch at home, give them a post-video quiz on its content.

#### Online Training

Optimally, online training supplements, but does not replace, face-to-face training. Online training is conducted through a Web site that is developed in house or with a contractor. Several jurisdictions put their training manuals on line in a format that allows for easy searching. A few jurisdictions are experimenting with customized online training.

Online courses typically include techniques to maintain interest in the material, such as video clips, animation, problemsolving scenarios, pop quizzes, and a final test.

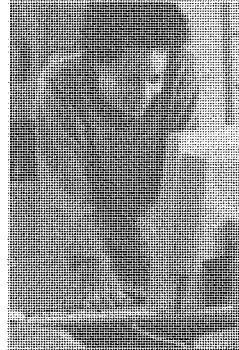
Online training can evaluate poll workers' comprehension by reporting which poll workers have started, stopped, or successfully completed the course, and which test questions were missed most frequently.

Optimally, online training supplements, but does not replace, face-to-face training.

#### Benefits of Online Training

Online training offers many advantages to the election administrator.

- Everyone receives the same material.
- Content can be updated easily and disseminated immediately.
- The program can track individual and aggregate participation and generate result reports.



#### Tips for Successful Implementation

- Launch your online training program with an outreach campaign that brings poll workers to the Web site.
- Build in enough time—a minimum of 12 weeks—to develop and thoroughly test the online training program before rolling it out for use by all poll workers.
- If outsourcing, contract with a reputable firm that has experience with online training and dependable technology.
- If financial resources are limited, determine whether your jurisdiction can develop and support an online program in house. If not, partner with a local college or university technology institute, especially one that has access to adult or continuing education specialists.



- Poll workers who register on line can receive e-mails and surveys.
- Content can be tailored for particular poll worker positions.
- The number of simultaneous users is unlimited.

For the poll worker, online training also has several benefits.

- Training is available at any time from any computer with Internet access.
- Online training is a powerful preview and review of face-to-face training.
- Poll workers can spend as much time as they like on a topic.
- Poll workers can receive immediate feedback after completing online problemsolving scenarios or quizzes.

#### Resources Needed

- An initial investment to develop the site, either in house or with a contractor.
- If working with a contractor, annual fees for hosting and upgrading the site.

#### Pitfalls and Challenges

- *Online training materials must be written for online use, not simply posted to a Web site.*
- *Many poll workers may not have access to a computer or feel comfortable using one.*
- *Online training may be modified to offer courses in multiple languages or tailored to accommodate those with disabilities.*

#### Evaluating Online Training

*Automatically tallied test results provide information about the effectiveness of the course.*

Sample #44. Model 1 Training Program (page 149)

Sample #45. Model 2 Training Program (page 150)

## Chapter 16. Plans and Checklists

123

### In This Chapter

- Training Agendas
- Tips for Developing a Training Manual
- Developing a Training Workbook
- Sensitivity Training
- Customized Training
- Outsourcing Your Training

#### Training Agendas

The previous chapter offered an array of training techniques. After you have reviewed these options, the training agenda serves as a blueprint for how all the components fit together. There is no single, "correct" poll worker training program. Accordingly, this guidebook offers several models.

Tips for developing your training agenda include the following:

- Determine the priority topics to be covered in the training session. Priority topics may be determined by changes in procedures and equipment or by problems encountered during the last election.
- Review your current training program. Did you cover information that most poll workers already knew or could just as easily have learned from reading the manual? If so, consider dropping this material from the in-person training session.
- Draft an outline of the priority topics and identify an appropriate training method for each. Be sure to focus the in-person training sessions on the most important information.

*Sample #46. Exhibit A, Sample Inhouse Training Guide (page 151)*

*Sample #47. Exhibit B, Sample Training Agenda (page 152)*

*Sample #48. Exhibit C, Sample Training Agenda (page 153)*

*Sample #49. Exhibit D, Sample Training Agenda (pages 154-155)*

*Sample #50. Exhibit E, Election Center's Checklist for Training of Poll Workers (page 156)*



### Tips for Developing a Training Manual

When developing an election manual, think about the needs, abilities, and constraints of those who will use it. For example, if most of the users are elderly, increasing the font size can make a big difference.

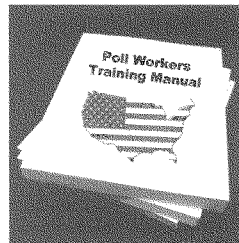
This is 14 point font. This is 12 point font.  
This is 10 point font.

Using a small typeface will reduce the number of pages, but it may be counterproductive if it is too difficult to read.

### Design Considerations

When designing your manual, follow these simple tips from Design for Democracy, a group of design professionals who have established standards for election materials:

- Consult users about how they want to use the manual. If possible, watch them use it to learn what works and what needs to be changed.
- Reduce clutter and make the manual easy to read by leaving plenty of white space on each page.
- Use a font style and size that is easy for the users to read, such as Helvetica (the font you are reading now) or Franklin Gothic Book.
- To make information easy to find, use chapter titles, headings, and subheadings to break up the text and label chunks of information.
- To make information easy to absorb, use numbering and bullets rather than large blocks of text.
- To promote greater use of the manual, use active voice and strong verbs.
- Incorporate illustrations for information that is complex (e.g., how to set up a machine). Use flowcharts to explain processes and decisionmaking scenarios.
- Include "What If" sections to direct poll workers through specific problem scenarios.
- Organize the manual—
  - Chronologically—in the order in which the information will be needed on Election Day.
  - or-
  - According to specific task scenarios, such as processing a provisional voter.



### Important Information

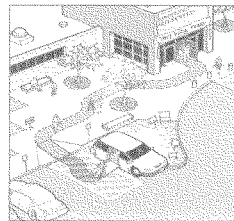
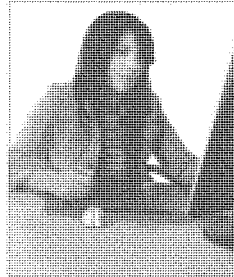
To emphasize important information, such as law changes or new practices, use "call-out boxes" like this one alongside the text. Exaggerate the boxes—color, weighted fonts—to attract the reader's attention.

- Create a comprehensive index and consider putting it in the front of the manual, if that is how most people will access the information.
- Choose a binding for the manual that, when opened, remains flat. Options include wire or plastic spiral binding, a three-ring binder, or a single ring in the upper-left corner, with laminated cardstock pages for covers.
- Create companion training pieces so that the manual is not your only tool for communicating information to the poll workers. In the training session, explain what the manual contains and how to use it by creating role-playing scenarios that require poll workers to find information in the manual.
- Do not expect anyone, except the editor, to read the entire manual.
- Stick to one font and distinguish chapters, section headings, and subheadings with various sizes and weights—bold, italic—of the same font.
- Get professional help if you can, particularly from—
  - A designer.
  - An editor.
  - A usability consultant.

#### Diagrams, Photos, and Graphics

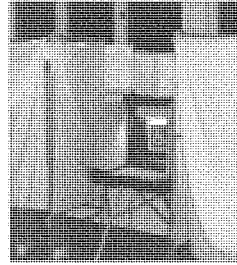
Design for Democracy also offers the following suggestions for maximizing the effectiveness of illustrated diagrams, photographs, and graphic design elements:

- To explain voting processes, illustrated diagrams are more effective than photographs because they are clearer and less intimidating.
- Simple linedrawing illustrations can emphasize critical components and delete extraneous material.
- Scale, color, or shading can exaggerate important elements.
- Arrows and lines should depict actions and processes.
- Illustrations are better when you do not want to draw attention to gender, age, or nationality; a photograph is inevitably a photograph of someone.





- For materials that promote participation or build a sense of voting community, photographs of people having positive voting experiences are appropriate.
- Combine photographs with simple graphic design elements (e.g., stars and stripes) to create a more celebratory image.
- The ability to resize graphic design elements makes them more appropriate than photographs for large applications, such as banners. The image quality of photographs often suffers when they are enlarged.
- Digital illustrations and graphic design elements are easy to work with, modify, and store. Develop a library of illustrations that can be reused to increase consistency and decrease costs.
- Photographs are best to show certain details of a machine or document.



#### Developing a Training Workbook

Although manuals are good references, they do not make the best hands-on training tools. Consider creating a separate training workbook consisting of in-class exercises, quizzes, simulations, and all necessary sample forms.

At the end of the training session, ask the poll workers to write their names on their completed workbooks and leave them with the class instructor. Review the completed workbooks for accuracy, handwriting legibility, and other placement-relevant information that will help ensure that each polling place has a staff with an optimal blend of skills.

The completed workbooks can also indicate the effectiveness of the training session. For example, if most trainees complete a particular form incorrectly, this probably means that the trainer did not explain the procedure sufficiently.

#### Sensitivity Training

Imagine that every time you have voted, someone has looked over your shoulder, reading the ballot to you and marking it for you. Until 2006, if you were a visually impaired voter, this was how it was done. The Help America Vote Act (HAVA) of 2002 now requires that every polling place have at least one piece

Sample #51. Cover Page to St. Louis County, MO, Training Manual (page 157)

of voting equipment on which voters with special needs can vote privately and independently.

In conformance with the Voting Accessibility for the Elderly and Handicapped Act (1984) and the Americans with Disabilities Act, election officials expend considerable energy and resources selecting voting systems that are accessible to all voters. It is important then to train poll workers in how to use the equipment and to ensure that the polling place is accessible.

Election officials have found that poll workers respond well to sensitivity training and appreciate the tips offered to ensure that all voters have a positive voting experience. Some jurisdictions invite representatives from organizations such as community living centers to make presentations on assisting voters who have special needs.

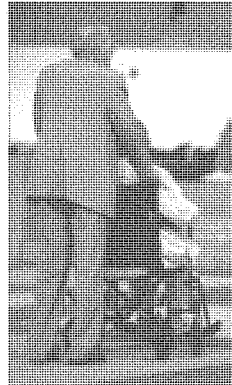
#### Sample Page for Poll Worker Manual

##### Voters With Disabilities

All voters, including voters with disabilities, have the right to vote independently and in secret. It is the poll worker's job to work with voters who have disabilities to find the most suitable method to check their registration, educate them on their choices, issue them a ballot, and direct them to the appropriate voting equipment.

Treat voters with disabilities with the same courtesy you would any other voter. Below are some etiquette reminders.

- Be courteous and respectful.
- Use common sense, which will provide answers to most questions.
- Be considerate of the extra time it may take for a person who is disabled or elderly to get things done, and give unhurried attention to a person who has difficulty speaking.
- Always speak directly to the voter and not to a companion, aide, or sign-language interpreter.
- Ask before you help. The person may not want any assistance. Do not insist—take “no” for an answer.
- On the other hand, do not be shy about offering assistance. Your courtesy will be appreciated.
- If the polling place is in a building with several routes through it, be sure sufficient signs are posted to direct a person to the most accessible way around the facility.



### Voters With Speech or Hearing Impairments

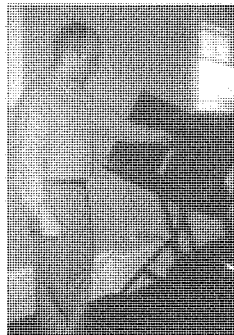
- A voter who cannot speak can give his or her name and address by simply providing identification to the assisting poll worker. The poll worker then reads the name and address out loud.
- Follow the voter's cues to determine whether speaking, gestures, or writing is the most effective method of communication.
- If speaking, speak calmly, slowly, and directly to the voter. Do not shout. Your facial expressions, gestures, and body movements help in understanding. Face the voter at all times and keep your face in full light (not backlit).
- Rephrase, rather than repeat, sentences that the voter does not understand.

### Voters Who Are Blind or Visually Impaired

- A voter who is blind may choose to use an assistant.
- Identify yourself and state that you are a poll worker as soon as you come in contact with the voter.
- If guiding a voter who is blind, offer your arm to the voter, rather than taking the voter's arm.
- If a person has a guide dog, walk on the opposite side of the voter from the dog. Do not pet or otherwise distract a guide dog without permission from the owner. Note: Guide dogs may be any breed or size. If you are unsure, simply ask, "Is this a service animal?"
- When giving verbal directions to help the voter navigate the polling place, be as specific as possible and identify obstacles in the path of travel.
- If you are going to leave a person who is blind, let the person know.

### Voters With Limited Mobility

- Do not push or touch another person's wheelchair without their prior consent. People using adaptive equipment often consider the equipment as part of their personal space.
- Ask before helping. Grabbing someone's elbow may throw the person off balance. A person with mobility impairments might lean on a door while opening it. Quickly opening the door may cause the person to fall.



IFES trainer Dan Murphy demonstrates a voting machine.

*"The great thing about bringing in outside trainers who have an election background is that they are FRESH. They are not bogged down with all the everyday challenges of election preparation. They can focus and be positive when we're managing other crises."*

—Bill O'Field, D.C. Board of Elections and Ethics

- Fasten mats and throw-rugs securely or move them out of the way. A mobility-impaired person could trip over them.
- Keep floors as dry as possible on rainy or snowy days.
- Keep the ramps and wheelchair-accessible doors to the polling place unlocked and free of clutter.

#### Customized Training

- **Bilingual Poll Workers.** A number of jurisdictions with a large percentage of voters with limited English proficiency have found it beneficial to offer customized classes for bilingual poll workers only. Bilingual poll workers may speak English fluently, yet not be familiar with election terminology such as "roster" and "provisional ballot." They may also not be comfortable enough with their English to ask questions in front of large audiences.

Some jurisdictions include bilingual poll workers in regular classes but recruit experienced bilingual poll workers or interpreters who can assist in clarifying terminology and in answering questions. In the training class, speak clearly—limit slang and jargon—and leave time for questions.

- **High School and College Poll Workers.** High school and college students can be valuable additions to a poll worker team. A number of jurisdictions are investing in customized training for students because students may not be familiar with the voting process and may feel more comfortable asking questions when surrounded by people their own age. Customized classes can take the form of onsite training, perhaps conducted in the context of a civics course.
- **Roving Election Day Troubleshooters.** Developing and offering extensive training for roving Election Day troubleshooters can be a valuable investment. Time spent familiarizing them with the best methods for assisting poll workers and voters can help prevent problems on Election Day. Provide troubleshooters with tips for identifying poll workers who might need extra assistance or supervision. Properly trained troubleshooters can help prevent late-opening polls.

#### Outsourcing Your Training

Outsourcing your training can bring new energy, perspectives, and methods into the process.

#### Pitfalls and Challenges

Outsourcing is more expensive than inhouse training.

#### Tips

- To save money, try outsourcing a portion of your training program and compare the results with training conducted by election staff.
- Trainers' scope of work can include developing materials, designing forms, organizing the curriculum, reviewing and developing training tools such as presentations, and conducting the actual training.
- Provide contractors with existing training materials, background information, a sense of the local training culture, and expectations for the training.
- Hire trainers to conduct specialty classes, such as those for bilingual poll workers, students, and poll worker trainers.
- Trainers can be hired as individual consultants, as temporary staff, or through a college or specialized institution.
- Hire trainers to develop an online training program to complement the face-to-face training conducted by inhouse staff.
- Hire trainers to develop a video tool for quick reference use to be shared with poll workers after they have been trained.

Outsourcing is a growing trend, because many jurisdictions do not have the time to prepare, conduct, and analyze a training program. Increasingly complicated election policies and procedures require more sophisticated training techniques to prepare poll workers for Election Day.

#### Benefits of Outsourcing

- Frees up staff time and energy for other priorities.
- Professional training institutions have extensive networks of trainers and can often assist in filling a training team vacancy.
- Professional trainers (adult education specialists) have expertise in current training techniques.

#### Evaluating Outsourced Training

- Determine if the contractor has met requirements, such as the number of workers trained, specific skills covered in training, and timeframe for completion.
- Compare the evaluation of the outsourced training program at specific times leading up to the election to that of the training program in previous election cycles.
- Compare whether poll workers trained by the outside trainer are more or less likely to attend training, serve on Election Day, or return for future elections.

**Model #1. Outsourcing to a Nonprofit Election Organization.** Franklin County, OH, Cook County, IL, Monterey County, CA, and Washington, DC, have outsourced some or all of their training. Professional trainers revamp poll worker programs, including updating poll worker manuals, providing feedback on procedures, and conducting poll worker training.

**Model #2. Outsourcing to Community Colleges.** Cuyahoga County, OH, the city of Detroit, MI, and Guilford County, NC, have worked with community colleges to train and certify poll workers. In Detroit, Wayne County Community College grants college credit to each poll worker who completes a certified program involving three 5-hour sessions.

## Chapter 17. Evaluating the Program

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### In This Chapter

- Benefits of Evaluation
- Resources Needed
- Pitfalls and Challenges
- Training Alternatives

Evaluating your training program improves the effectiveness of your poll workers. A complete picture of the weaknesses of the training requires collecting information on poll worker comprehension and performance and analyzing that information. Every jurisdiction can easily implement one simple evaluation: an anonymous form given out at the end of the training session. The information gathered can also support budget requests for more resources to train poll workers.

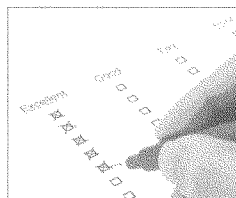
In general, evaluating your training includes the following steps:

- Collect information on poll worker performance in previous elections (e.g., percent of polling places that opened late, number of voters directed to the wrong polling place, number of forms filled out incorrectly).
- Use this information to assess how much your poll workers get out of the training they are required to attend. Review the current training in light of the information collected.
- Based on the problems identified, decide what elements—content and methods—of the training to leave the same or change and what to add or take out.
- Assess poll workers' understanding both after the training and on Election Day to determine whether the training has improved since the last election.
- You do not need to collect evaluation data from everyone who participates in a training program for it to be helpful. A 10- to 25-percent response rate is typical.

### Benefits of Evaluation

Evaluating poll worker training will—

- Determine whether the training is effective.
- Suggest ways to improve the program.



- Add credibility to the training program.
- Enable you to hold trainers accountable.
- Provide evidence to support requests for training resources.

#### Resources Needed

- **Election Day Error Reports.** You will need, for example, the log of questions that came in on Election Day from poll workers and voters. You will need to know how many forms were not filled out properly and how many polling places were not opened or closed properly.
- **“Canvass” and “Audit” Reports.** Staff will need to collect and analyze data and provide recommendations for modifying the training curriculum. It will take longer the first time as you feel your way through the process.

#### Pitfalls and Challenges

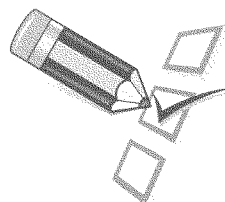
- The first time you evaluate the program, it will take some time, but stick with it.
- Evaluation can be a bit difficult when large numbers of poll workers give input. Consider obtaining some survey data on line to speed up collection and analysis.

#### Training Alternatives

- Larger jurisdictions may target their evaluation to address issues specific to particular populations (language minorities) or regions (high-mobility neighborhoods).
- Jurisdictions with limited resources should start by using the data available to them—Election Day error reports. Some jurisdictions evaluate every precinct operation and issue a “report card.” Problems that come up across the jurisdiction are handled at the next training event. Precincts plagued with problems should get more support, or a new chief.

#### Tips for Successful Implementation

- Ask other local government departments to share their evaluation expertise and resources with you.
- Do not evaluate things that are not directly related to the training, that you do not have control over, or that you do not have the resources to address.
- Do not get carried away. People earn doctorate degrees and sustain decades-long careers doing evaluation. Stay committed to making the poll workers more effective on Election Day.



## Appendix

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### Section Two Samples

*Sample #32. Flyer Inviting Poll Workers To Attend Practice Makes Perfect Training (page 134)*

*Sample #33. Photo of Perfect Polling Place Room From Johnson County, KS, Digital Photo (page 135)*

*Sample #34. Sample Role-Playing Exercises (page 136)*

*Sample #35. Scenarios To Enact Through Role Playing (page 137)*

*Sample #36. Sample Check-in Clerk Job Guide From District of Columbia's BOEE (pages 138–139)*

*Sample #37. 20 Questions—Set One (pages 140–141)*

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*Sample #39. Job Aid A (page 144)*

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*Sample #41. Training Workshop Sample Slide Presentation: Imaginary County (page 146)*

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*Sample #44. Model 1 Training Program (page 149)*

*Sample #45. Model 2 Training Program (page 150)*

*Sample #46. Exhibit A, Sample Inhouse Training Guide (page 151)*

*Sample #47. Exhibit B, Sample Training Agenda (page 152)*

*Sample #48. Exhibit C, Sample Training Agenda (page 153)*

*Sample #49. Exhibit D, Sample Training Agenda (pages 154–155)*

*Sample #50. Exhibit E, Election Center's Checklist for Training of Poll Workers (page 156)*

*Sample #51. Cover Page to St. Louis County, MO, Training Manual (page 157)*

*Sample #52. Kennesaw State University Center for Election Systems: Poll Worker Training Evaluation (page 158)*

*This Guidebook contains sample documents used by various State and local election jurisdictions. The U.S. Election Assistance Commission has published these documents with the express permission of its owner. These documents are intended to be representative of relevant election administration practice throughout the nation and to illustrate the concepts being described in the text. The inclusion of these samples in this Guidebook does not constitute an endorsement by the U.S. Election Assistance Commission. Additionally, as State law varies and is subject to change, readers are cautioned to obtain legal advice prior to adopting any new policy, procedure or document.*



Sample #32. Flyer Inviting Poll Workers To Attend  
Practice Makes Perfect Training

☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆

**“PRACTICE MAKES PERFECT”**  
Hands-On Voting Machine Training  
for Election Workers

**ATTENTION ALL ELECTION WORKERS!!**

For additional practice on opening and closing the touch screen voting machines, please visit one of the following locations on the dates and times listed below.

You may visit these locations as many times as necessary in order to feel comfortable opening and closing the machines on Election Day.

**July 26 – 31, 2004**

- **Johnson County Central Resource Library**  
9875 W 87<sup>th</sup> Street, Overland Park
 

July 29	11:00 – 4:30	July 31	9:00 – 4:30
July 30	11:00 – 5:00		
- **Olathe Indian Creek Branch Library**  
12990 S Black Bob Rd, Olathe
 

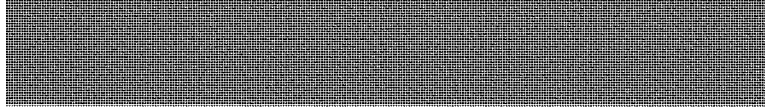
July 26, 27	11:00 – 5:00		
July 29, 30 and 31 <sup>st</sup>	11:00 – 5:00		
- **Overland Park Community Center**  
6300 W 87<sup>th</sup> Street, Overland Park
 

July 26, 27 and 28 <sup>th</sup>	11:00 – 7:00		
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- **Shawnee Library**  
13811 Johnson Dr, Shawnee
 

July 26	11:00 – 7:00	July 29	1:00 – 7:00
July 27	11:00 – 2:30	July 30	11:00 – 5:30
July 28	11:00 – 6:30	July 31	9:00 – 4:30

Johnson County Election Office  
2101 East Kansas City Road, Olathe, KS 66061

☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆



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Sample #33. Photo of Perfect Polling Place Room From Johnson County, KS, Digital Photo



## Sample #34. Sample Role-Playing Exercises

**Sample Role Playing Exercises**

**Exercise: "Using the Street Guide"**  
(Handouts for exercise: Sample Street Guide.)

1) Look up 4809 Hampsted Court. Is it even or odd? Odd.  
How many voters are on the farthest list of numbers to the right? 2

2) Look up 7308 Hampsted Square. Don't you need to know whether it's Hampsted Square East, North or South? Hampsted Square South.  
How many voters? 20

3) Look up 8217 Griswold Drive. How many voters? 12

**Exercise: "Processing Voters"**

Handouts for exercise: Sample Page from Poll Book Michelle Adams should be marked 17 years old; Barbara Andreas should be marked "AB"; Sample Page with all versions of the Voter Authority Slips; Provisional Ballot Application.

1) I am Jim Ackerman. I live at 933 Sunview Road. Let's find me. Am I a regular voter? Yes. Ask me, "What ballot do I want?" I say, "Republican." What do we do? Write Jim's ballot style on a Republican Authority to Vote Slip. Note this Authority to Vote slip number in the Poll Book and send him off to the Voting Judge.

2) I am Michelle Adams-Young. I live at 807 Sunview Road. (Please find me on the Poll Book. Do you see me?) "Oh, yes, my mom got re-married and so I've changed my name. Is that a problem?"

• Name Change: What do I have to do to let the election office about my new name? Fill out a new voter registration form in the Precinct Workbook.

• What do you notice about my voter information in the Poll Book? I am 17. Am I still a regular voter if I'm only 17? Yes. I can vote on candidates in a Primary, but not on measures.

• The Check-in Judge asks me, "What ballot do you want?" Let's say I say, "Democrat." Which Voter Authority Slip is the poll worker going to pull? The "Democrat" one.  
(Remember, they'll be different colors for the actual election.)

• What is the poll worker going to note in the Poll Book? The number on my Authority to Vote Slip which is: 1005.

• What is the Check-in Judge going to write on my Voter Authority Slip?

1) Ballot style: It's 12.

2) Write a check-mark next to the 17-year-old box on the Voter Authority Slip.

3) My name is Barbara Andreas. I live at 936 Pleasant Drive. So far I'm a regular voter. What do you notice about the box where you'd normally put my ballot style? It says "AB" – what does that mean? Am I a regular voter? No. Do I get to vote? Yes, I will cast a provisional ballot. That means the Election Office will hold it until they find out what happened to my absentee ballot. Let's look at the provisional application. Please write in my ballot style at the top right corner of the form. What is the most important thing we have to ensure that the provisional voter does? (Sign the application or else their ballot won't be counted!) Do I get a Voter Authority Slip? No, the Provisional Ballot Application becomes my ticket to vote.

### Sample #35. Scenarios To Enact Through Role Playing

#### Scenarios to Enact Through Role-Playing

**Regular voter** – checks in – all information is correct in the poll book – voter signs – receives correct ballot or voter card – votes – deposits ballot or returns voter card – receives "I Voted" sticker – exits polling place.

**Name or address change** – checks in – poll worker learns of address change – directs voter to street index clerk to look up address – voter receives provisional ballot – signs the roster – completes paperwork – receives ballot or voter card – votes – deposits ballot or returns voter card – receives information on how to determine if the ballot was counted – receives "I Voted" sticker – exits polling place.

**Voter missing ID** – checks in – all information is correct in the poll book, but the voter must show ID – voter does not have ID – voter receives provisional ballot – signs the roster – completes paperwork – receives ballot or voter card – votes – deposits ballot or returns voter card – receives information on how to determine if the ballot was counted – receives "I Voted" sticker – exits polling place.

**Lost voter** – voter arrives and checks in – name is not in the poll book – voter directed to street index clerk to look up address – voter is in the wrong polling place – clerk looks up correct polling place information and directs voter to correct polling place.

**Early voter** – checks in – voter wants to turn in the EARLY BALLOT and vote on voting machine – voter receives provisional ballot – signs the roster – completes paperwork – receives ballot or voter card – votes – deposits ballot or returns voter card – receives information on how to determine if the ballot was counted – receives "I Voted" sticker – exits polling place.

**Regular voter – Needs assistance** – checks in – all information is correct in the poll book – voter signs – receives correct ballot or voter card – voter begins to vote; however, asks for assistance – 2 poll workers must assist the voter – voter cast ballot – deposits ballot and/or returns voter card – receives "I Voted sticker" – exits polling place.

**Regular voter – Campaign shirt** – checks in – voter is wearing campaign information – poll worker asks voter to remove or cover campaign button/shirt, etc. – voter signs – receives correct ballot or voter card – votes – deposits ballot or returns voter card – receives "I Voted" sticker – exits polling place.

**Late voter** – voter arrives or is in line after polls close at 7:00 p.m.

Sample #36. Sample Check-in Clerk Job Guide From  
District of Columbia's BOEE

**CHECK-IN CLERK JOB GUIDE  
GENERAL ELECTION  
Washington, DC Board of Elections and Ethics**

**JOB:** Hang signs, complete notations using the Challenged and Absentee Voters Lists in Master Index, and process voters

**MONDAY BEFORE THE ELECTION**  
**TASK:** Prepare Master Index for processing voters on Election Day

1. Set up your station
2. Attach alpha tabs to Master Index
3. Locate Absentee Voters List
4. Identify Absentee Voters in the Master Index from Absentee Voters List
5. Print "Absentee Voter" in Master Index next to voters' names
6. Obtain Administrative Challenged Voters List from Precinct Captain
7. Print "Challenged" next to voters' names in Master Index
8. Give List back to Captain

**ELECTION DAY – OPENING THE POLLING PLACE**  
**TASK:** Ensure the Check-in station is set up and assist the Precinct Captain

**PROCESSING VOTERS**  
**TASK:** Verify voter eligibility by using Master Index

1. Greet voter
2. Ask voter's name
3. Locate name in Master Index
4. Read aloud the voter's name, address, and party affiliation to confirm they are in the correct precinct and so the Poll Watchers can hear it
5. Write an "X" at right corner of signature box
6. Ask voter to sign name next to the "X"
7. Ensure voter signed in correct place
8. Give voter proper Advisory Neighborhood Commission/Single Member District (ANC/SMD) Voter Card
9. Ask voter to print their name on the Voter Card
10. Tell voter to give the Voter Card to the Ballot Clerk
11. Direct voter to Voting Demonstration Clerk if they have any questions about voting machines

**AFTER THE POLLING PLACE CLOSES**  
**TASK:** Secure Master Index and give it to the Precinct Captain

1. Gather all volumes of the Master Index
2. Put rubber bands around them
3. Give them to the Precinct Captain

**SPECIAL INSTRUCTIONS**

**CHALLENGE BY AN AUTHORIZED POLL WATCHER**

1. Notify the Precinct Captain because he or she is responsible for processing challenges in the polling place
2. The Precinct Captain can also challenge a voter

**ABSENTEE BALLOT BROUGHT TO THE POLLING PLACE**  
If a voter brings an Absentee Ballot to the polling place, tell the person to vote the Absentee Ballot, place the ballot inside the Secrecy Envelope, put that envelope in the Absentee Ballot Envelope, and put it into the Special Ballot Box

**SEE BACK SIDE**

Sample #36. Sample Check-in Clerk Job Guide From  
District of Columbia's BOEE (page 2)

**CHECK-IN CLERK JOB GUIDE**  
**GENERAL ELECTION**  
**PAGE 2**

**ID REQUIRED**

1. Locate voter's name in Master Index and if "ID REQUIRED" appears next to the name, ask for the following ID:
  - *Current photo ID*
  - *Utility Bill*
  - *Bank Statement*
  - *Government Check*
  - *Pay Check*
  - *Any other current government document with voter's name and address (a photo is not required)*
2. Verify the voter's Advisory Neighborhood Commission/Single Member District (ANC/SMD)
3. Write an "X" at right corner of signature box
4. Ask the voter to sign name using the Signature Guide next to the "X"
5. Ensure the voter signed in correct place
6. Give the voter the proper ANC/SMD Voter Card
7. Ask the voter to print his or her name on the Voter Card
8. Direct the voter to the Ballot Clerk

**VOTERS WITHOUT PROPER ID**

1. Fill out a Special Ballot Referral Form
2. Direct the voter to the Special Ballot Clerk

**SPECIAL BALLOT REFERRAL FORM WILL BE USED WHEN**

1. When ID is required, but not provided
2. Voter wants an "Election Day Change of Address"
3. Name not listed on the "Master Index"
4. Voter listed as an "Absentee Voter"
5. An "Administrative Challenge" has been generated by the Board
6. Voter is "Challenged" by a Poll Watcher or the Precinct Captain
7. Voter is an elderly person or a voter with a disability and voting outside of precinct
8. Voter is an Election Worker
9. Voter has a different party registration
10. Voter has a different ANC/SMD

**SUPPLIES**

Absentee and Challenged Voters List  
Alpha Signs  
Alpha Sign Holders  
Binder Clips (small and medium size for Alpha Sign Holders)  
Check-In Clerk Sign  
18" Ruler  
Index Tabs  
Job Guide  
Magnifying Glasses  
Master Index Books  
Push Pins for Alpha Signs  
Special Ballot Referral Forms  
Warning Sign (stand up)

## Sample #37. 20 Questions—Set One

## "Twenty Questions"

(Sample Courtesy of the DC Board of Elections and Ethics)

Use this old game of "20 questions" to review the key points you picked up at training class. Below are the 20 questions for your review:

## SET ONE

## (First 10 questions)

1. Are all registered voters eligible to vote in the November Presidential Election?  
(Circle One)  
Yes      No
2. What does the Check-in Clerk do if a voter's name and address are not in the Master Index? (Select one)
  - a. Tell the voter to go home
  - b. Refer Voter to the Special Ballot Clerk to verify in the Master Street Index if the Voter is in the correct precinct
3. What can the Special Ballot Clerk and the Ballot Box Clerk do to ensure that a Special Ballot "Provisional" Voter does NOT accidentally cast his or her Special Ballot in the Optical Scan Reader? (Circle all that apply)
  - a. Ballot Box Clerks should keep an eye out for voters carrying envelopes
  - b. Ballot Box Clerks should put a sign marked "Special Ballot Votes not Welcome" on top of the optical scan counter
  - c. Special Ballot Clerks should ensure that Special Ballot voters mark their ballot in the area near the Special Ballot Clerk and place the voted ballot immediately in the Secrecy Envelope and the Special Ballot envelope provided
4. If a registered voter who is NOT in the correct precinct casts a Special Ballot will it be counted? (Select One)
  - a. Yes
  - b. No
  - c. No, EXCEPT for voters with disabilities, elderly voters and poll workers working out-of-precinct
5. Is identification required for all voters?
  - a. Yes
  - b. No
  - c. No, only for voters identified in the Master Index as "ID Required"
6. Voter One has signed the Master Index on the line that is for Voter Two's signature. What should the Check-in Clerk do? (Circle all that apply)
  - a. Instruct Voter One to sign on the correct line and issue a regular ballot to Voter One, requiring Voter Two to vote a Special Ballot
  - b. Instruct Voter Two to scribble out Voter One's name and sign above it
  - c. Get out some white-out and fix it
  - d. Check-in Clerk should check "Other" on the Special Ballot Referral Form and writes "Previous voter signed on wrong line"

## Sample #37. 20 Questions—Set One (page 2)

## "Twenty Questions" Set One Continued

7. Which of the following are the responsibilities of the Special Ballot Clerk? (Circle all that apply)
- a. Check voter addresses in the Master Street Index
  - b. Check Voter's Special Ballot Referral Form for reason for referral
  - c. Direct Voter, if in a wrong precinct, to correct precinct where their vote will be counted
  - d. Give the Voter a Special Ballot Envelope and instruct Voter on how to complete all parts of the form
  - e. Ensure that Special Ballot Voters receive a ballot stamped "Special"
  - f. Complete Election Worker's Certification Box on the Special Ballot Envelope
  - g. Tell Voter you will be happy to go get a regular ballot for them from the Ballot Clerk
8. Which of the following are the responsibilities of the Ballot Clerk: (Circle all that apply)
- a. Tell the voters which ballot they should choose
  - b. Account for all paper ballots
  - c. Place voter cards into the appropriate cardboard box ("Touch Screen" or "Optical Scan")
  - d. Call out name of voter two times for poll watchers
9. Who is responsible for processing a "Spoiled Ballot"?
- a. Special Ballot Clerk
  - b. Ballot Clerk
10. Who is responsible for processing a curbside voter? (Circle at that apply)
- a. Ballot Box Clerk
  - b. Voting Demonstration Clerk
  - c. Precinct Captain

Set One Answer Key: (1) Yes (2) A (3) A, C (4) C (5) C (6) A, D (7) All except G (8) B, C, D (9) B (10) B, C



## Sample #38. 20 Questions—Set Two

## "Twenty Questions" Set Two

## (Second 10 questions)

1. Why does the phrase "The Voting Never Stops" apply to elections conducted in Washington, DC?
  - a. Voters can vote as many times as they want to on Election Day
  - b. In the unlikely possibility that both the touchscreen unit and the optical scan reader are not working, voters may still vote on paper ballots. Voters mark their ballots as usual and voted ballots are stored in a secure bin within the optical scan counter until the units are again functioning
2. Can a poll watcher or precinct captain challenge a voter on Election Day?
  - a. Yes
  - b. No
3. Can a voter who requested an absentee ballot, but never received it in the mail, vote in their precinct on Election Day?
  - a. Yes
  - b. No
4. Can a poll worker, who has not voted when he or she is reassigned to another precinct the night before Election Day, vote in the precinct they just got assigned to, even if it is not their precinct of residence?
  - a. Yes, vote a regular ballot
  - b. Yes, vote a Special Ballot
  - c. No
5. Can a voter do a "write-in candidate" on the Optical Scan and on the Touch Screen voting systems?
  - a. Yes
  - b. No
6. What should be done if a voter wants to cast a blank ballot?
  - a. Nothing because a voter has a right to vote the ballot as desired
  - b. Tell voter they have wasted their ballot and can't have another one
7. What should be done if a voter leaves the Touch Screen voting booth before selecting "Cast Ballot"? (Circle all that apply)
  - a. Cancel the vote
  - b. Finish voting for the voter
  - c. Ballot Clerk or Precinct Technician should tell the Precinct Captain
  - d. Only the Precinct Captain can remedy the situation

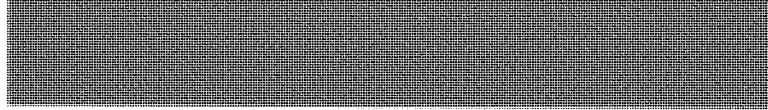
## Sample #38. 20 Questions—Set Two (page 2)

**"Twenty Questions" Set Two Continued**

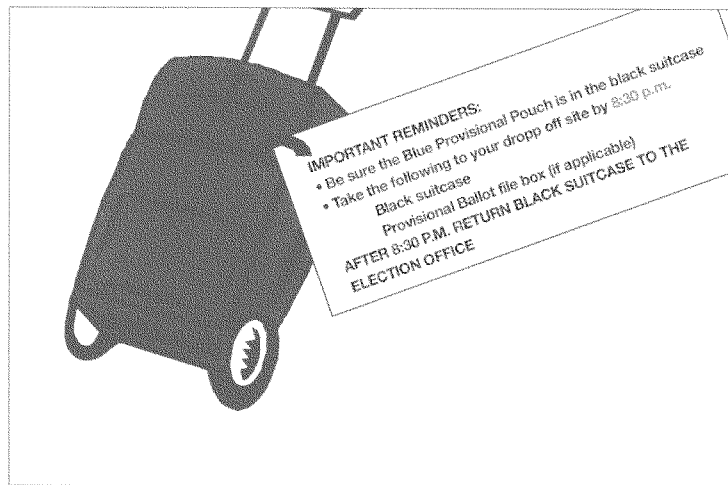
8. How many paper ballots can a voter spoil? (Select one or more)
- a. A voter is not limited to the number of ballot they can spoil
  - b. If a voter spoils more than two ballots, ask them if they would like a demonstration
  - c. Only one paper ballot
9. How should a voter with disabilities be treated? (Select more than one)
- a. With respect and dignity
  - b. Be considerate of extra time it may take and never hurry the voter
  - c. Always speak directly to the voter and not the companion, aide, or sign language interpreter
  - d. If voter is visually impaired, play with the dog while the voter votes
  - e. Ask before you help and do not insist on helping
10. In case of emergency, what should you do? (Select all that apply)
- a. Precinct captain should take special ballot box, paper ballots, voter cards, master index books and assign each poll worker a duty
  - b. Notify BOEE of emergency
  - c. Poll workers should direct voters and poll watchers to the nearest exit
  - d. Run out of the voting precinct and go home
  - e. Precinct Technician should record public counter numbers on each machine and note the time of day
  - f. Call 911 first
  - g. Read your manual's emergency procedures prior to Election Day

Set Two Answer Key: (1) B (2) Yes (3) Yes (4) B (5) Yes (6) A (7) A and C (8) A and B (9) A, B, C, E (10) All but D

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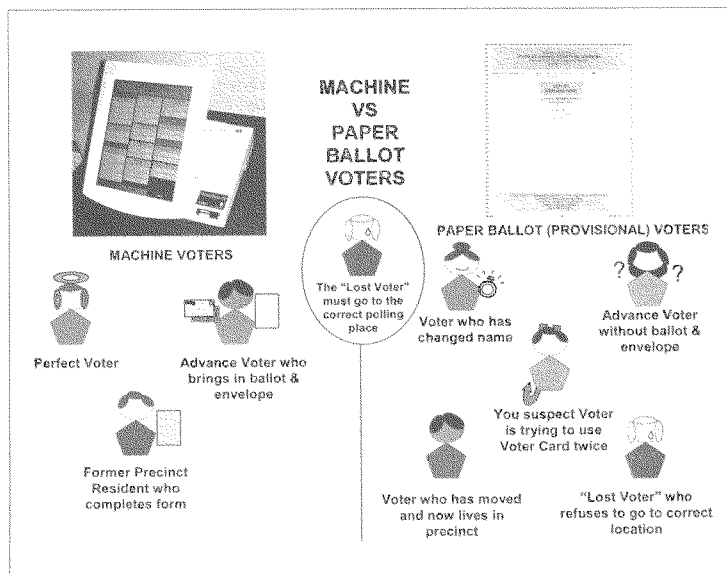


## Sample #39. Job Aid A



A laminated card attached to the zipper pull of the supply suitcase reminds poll workers what to pack in the suitcase and return to the office on Election Night.

## Sample #40. Job Aid B

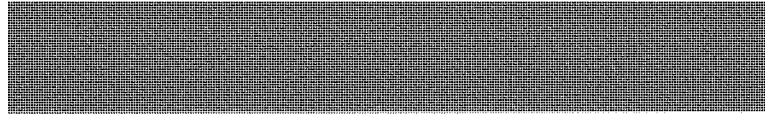


A laminated job guide located near the check-in table provides a quick reference for determining voter eligibility.

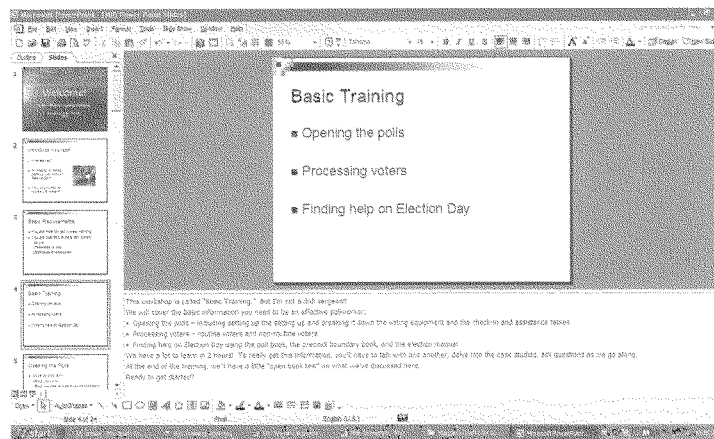
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Sample #41. Training Workshop Sample Slide Presentation:  
Imaginary County

Slide Presentation	
Imaginary County Basic Poll worker Training Workshop Slide Presentation	
Slide Number	Title
Slide 1	Welcome
Slide 2	Opening Activity
Slide 3	Opening Activity – Objectives of the workshop
Slide 4	Before Election Day
Slide 5	Before Election Day
Slide 6	Opening the Polls
Slide 7	Opening the Polls
Slide 8	Troubleshooting Scenario #1 and Solution
Slide 9	Troubleshooting Scenario #2 and Solution
Slide 10	Processing Voters
Slide 11	Processing Voters
Slide 12	Processing Voters
Slide 13	Processing Voters
Slide 14	Processing Voters
Slide 15	Processing Voters
Slide 16	Troubleshooting Scenario #3 and Solution
Slide 17	Closing the Polls
Slide 18	Closing the Polls
Slide 19	Returning Supplies
Slide 20	Troubleshooting Scenario #4 and Solution
Slide 21	Troubleshooting Scenario #5 and Solution
Slide 22	Troubleshooting Scenario #6 and Solution
Slide 23	Assessment – Are you ready?
Slide 24	Evaluation – How did we do today?

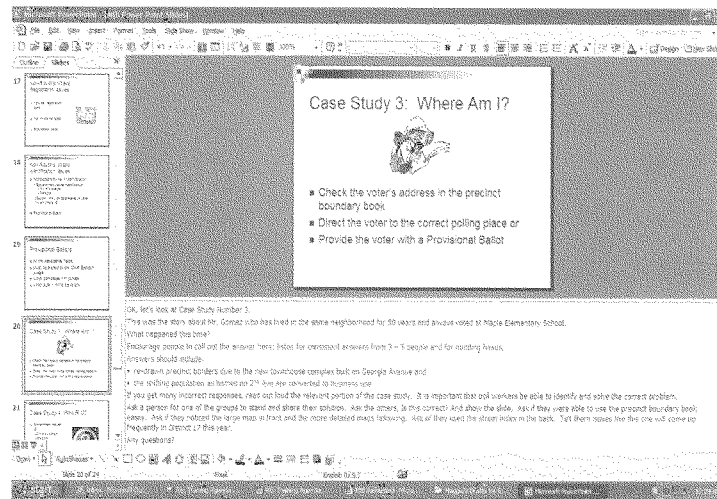


## Sample #42. Training Workshop Sample Slide Presentation: Basic Training



*This is the third slide in the presentation. This is what the presenter will see on her computer. (Participants will only see the slide.) Notice the detailed talking points in the notes section at the bottom of the screen. Using the notes section helps ensure consistency in your presentations.*

### Sample #43. Training Workshop Sample Slide Presentation: Case Study



*This is slide 20 in the presentation. Again, see the notes in the bottom of the screen. These notes guide the presenter to engage the participants in conversation about the case study, rather than just giving them the solution.*

## Sample #44. Model 1 Training Program

**Model #1: Texas Online Poll Worker Training Program:**  
<http://www.sos.state.tx.us/elections/onlinepollworker.shtml>

*On Line Poll Worker Training is here!*

**Election Officials and Poll Workers (Election Judges and Clerks):**

The Texas Online Poll Worker Training is here! Texas is the first state in the nation to introduce On Line Poll Worker Training on a statewide basis! County Clerks and Elections Administrators simply log onto the system, begin entering e-mail addresses of your Election Judges and Clerks for the upcoming November 7th General Election, select from a drop down menu to send them e-mail, and you can even print reports for your records!

What are the benefits?

This is a brand-new way to train Election Judges and Clerks all over the State—it's easy, convenient, and most of all, free! Providing on line poll worker training will allow you to:

- Conduct large training easily—just think, no room arrangements, seating problems, parking problems—your users can take the training course in the comfort of their home if they like;
- Provide training at the Judges and Clerks convenience;
- Provide Training 24 hours a day! 7 days a week;
- Gather response data from your Judges and Clerks by printing out a report that will tell you exactly what topic(s) you need to go over in face-to-face training when they come to pick up their election supplies;
- Cut down on time and travel to face-to-face training;
- Reward your election judges and clerks by providing them with a Certificate of Achievement.

We at the Secretary of State's office are excited to bring you this new method of training and look forward to working with you and your Judges and Clerks.

**Poll Workers:** if you haven't been contacted by your County Clerk or Elections Administrator about this new training, give them a call and ask them to get you signed up!

**County Clerks/Elections Administrators:** if you haven't offered this to your poll workers, sign them up! There's even a built-in help "desk" in our online training (upper right hand corner of the screen), as well as a FAQ.

For technical support issues, please feel free to call our special toll-free number at 888.826.4658 or e-mail us with your questions and comments.

**Questions:** Call or e-mail Kim (Sutton) Kizer at 800.252.VOTE(8683). Thank you and Happy Web Learning!



## Sample #45. Model 2 Training Program

**Model #2: Hillsborough County Online Poll worker Training Program:**  
<http://hillsborough-fl.training.clarityelections.com>



Welcome to our Online Training Center

Thank you for joining our Election Team and for your commitment to serve your community during election time. We are proud to have you on board and are pleased to provide you this state-of-the-art online training program to teach you all of the essentials required to open, run and manage your precinct's polling place during election time.

If you are a new user, please refer to your welcome letter for the **user name** and **password** required to access the Online Training Center to begin your training. To help you get started, please click [Quick Start Guide](#) for detailed help on using the Online Training. Please click [System Requirements](#) to learn how to best view this online training material within the platform.

**To begin the training:**

1. Type your **User Name** in the **Name** field
2. Type your **Password** in the **Password** field
3. Click **Login** to load your personal training page
4. From there, just click the **Introduction** link, located in the **Current Courses** section to begin the training

I am eager to hear how you like the online election worker training. Please feel free to email or call my office with your feedback.

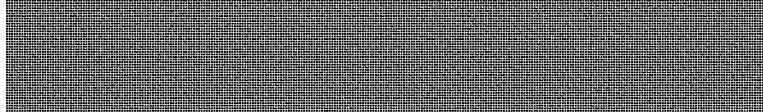
See you at the polls!

**Buddy Johnson**  
 HILLSBOROUGH COUNTY SUPERVISOR OF ELECTIONS



Login Questions?

[Show Me](#)



### Sample #46. Exhibit A, Sample Inhouse Training Guide

#### **Exhibit A SAMPLE IN-HOUSE TRAINING GUIDE**

*Training Methods Used: Hands-on Training and In-Class Exercises*

- 12:30 Have refreshments ready. Collect signed pollworker materials (sign-in sheets, loyalty oaths, etc.)
- 1:00 Opening – Welcome workers, reiterate their role in Democracy
- 1:15 Review successes and problems encountered during the last election cycle
- 1:30 Review law changes and any special issues for this election  
 Break out sessions:  
 Station 1 – forms and provisional ballots;  
 Station 2 – supplies and special issues;  
 Station 3 – equipment operations/hands on
- 2:00 Move to first session – follow signs (signs show which precincts begin at which station – then they go clockwise)
- 2:35 Dismiss to move and get refreshments
- 2:45 Groups rotate to next station; next session begins
- 3:20 Dismiss to move and get refreshments
- 3:30 Groups rotate to next station; next session begins
- 4:10 Supervising Judges pick up supplies in Clerk's Office

Remind lead pollworker to check with their polling site to make sure it will be open at 6:30 a.m. on Tuesday. They have the contact information in their notebook.

## Sample #47. Exhibit B, Sample Training Agenda

**Exhibit B**  
**SAMPLE TRAINING AGENDA**

- I. Welcome**
  - a. What's New? (curbside voting door bell for accessibility, ability to cast provisional ballots on touchscreen unit, new security procedure)
- II. Expectation of the training class**
  - a. Class will be 2 hours plus 30 minutes for hands-on
  - b. Housekeeping (cell phones, hand-outs, etc.)
  - c. Importance of consistency
- III. "Twenty Questions" Game (1<sup>st</sup> set of 10 questions)**
- IV. Overview of "Perfect Polling Place"**
- V. Overview of Job Descriptions**
  - a. Precinct Captain
  - b. Voter Demonstration Clerk
  - c. Check-in Clerk
  - d. Ballot Clerk
  - e. Ballot Box Clerk
  - f. Special Ballot Clerk
  - g. Precinct Technician
- VI. Opening Procedures**
- VII. Processing Voters (Role Playing)**
  - a. "Perfect Voter" (check-in and vote)
  - b. Voter not found in Roster
  - c. Provisional Voter
  - d. Voter marked "Absentee Ballot Requested" in Roster
- VIII. Closing Procedures**
- IX. "Twenty Questions" Game (2<sup>nd</sup> set of 10 questions)**
- X. Hands-on exercises with voting equipment (Set up, Opening, Processing a voter, Closing, Tear-down)**

**Tip!**

Post the Training Agenda on a large easel or Post-it at the front of the room. It will keep you – and your audience – focused!

## Sample #48. Exhibit C, Sample Training Agenda

<b>Exhibit C</b> <b>SAMPLE TRAINING AGENDA</b> <i>Training Methods Used: In-Class Exercises, Interactive Training, Overhead Presentation</i>				
Time	Who	Topic	Facilitation	Methods/ Media
5 Minutes	Presenters and Participants	Welcome	Introductions of presenter and elections staff	Show Slides 1 -2
10 Minutes	Presenter 1	Opening Activity	Review the objectives of the training	Show slides 3-4
5 minutes	Presenter 2	Content	Opening the Polls	Show slides 5-7
10 minutes	Presenter 1	Demonstration	Set up the voting equipment	Voting equipment
20 minutes	Participants	Scenarios 1-2	Have participants break into groups of 6 to read and solve the scenarios	Scenarios 1 - 2 Slides 8 - 9
	Presenter 2		Have one group share their solution to each of the 2 scenarios	
15 minutes	Presenter 1	Content	Processing Voters	Show slides 10-19
30 minutes	Participants	Scenarios 3-5	Have each group of 6 resolve each of the scenarios	Scenarios 3 - 5 Slides 20-22
	Presenter 2		Announce the solutions to the case studies; check for agreement and alternatives.	
15 minutes	Participants	Assessment	Have each participant complete the evaluation independently. Review the answers. Provide take-home copies	Assessment Slide 23
10 minutes	Presenters	Evaluation	Refer participants to FAQ for instructions on getting Election Day assignments.  Distribute evaluations.	Evaluation FAQ Slide 24

## Sample #49. Exhibit D, Sample Training Agenda

Exhibit D SAMPLE TRAINING AGENDA														
<b>I. Training Workshop Title:</b> <p>Basic Poll Worker Training Workshop</p>														
<b>II. Workshop Objectives</b> <p>All Imaginary Lake County poll workers should learn how to:</p> <ul style="list-style-type: none"> <li>Set up, operate, and break down the voting equipment</li> <li>Process voters</li> <li>Find help on Election Day</li> </ul>														
<b>III. Workshop Preparation</b> <table border="1"> <thead> <tr> <th>Component</th> <th>Purpose</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>Method of Delivery</td> <td>The training workshop is best presented in 2 hours to groups of 18, 24, 30, or 36 participants</td> <td>Options:  <ul style="list-style-type: none"> <li>Morning session</li> <li>Afternoon session</li> <li>Evening session</li> </ul> </td> </tr> <tr> <td>Presenter</td> <td>This workshop is best presented by a team of 2 presenters</td> <td>Options:  <ul style="list-style-type: none"> <li>Elections staff or leadership</li> <li>Poll worker peer</li> <li>Subject area expert</li> </ul> </td> </tr> <tr> <td>Invitation/Announcement</td> <td>ROV will send invitations and register the prospective poll workers for the training sessions</td> <td>Options:  <ul style="list-style-type: none"> <li>Email or snail mail</li> <li>When and where</li> <li>Why they are attending the training</li> <li>Info on training bonus if appropriate</li> </ul> </td> </tr> </tbody> </table>			Component	Purpose	Description	Method of Delivery	The training workshop is best presented in 2 hours to groups of 18, 24, 30, or 36 participants	Options: <ul style="list-style-type: none"> <li>Morning session</li> <li>Afternoon session</li> <li>Evening session</li> </ul>	Presenter	This workshop is best presented by a team of 2 presenters	Options: <ul style="list-style-type: none"> <li>Elections staff or leadership</li> <li>Poll worker peer</li> <li>Subject area expert</li> </ul>	Invitation/Announcement	ROV will send invitations and register the prospective poll workers for the training sessions	Options: <ul style="list-style-type: none"> <li>Email or snail mail</li> <li>When and where</li> <li>Why they are attending the training</li> <li>Info on training bonus if appropriate</li> </ul>
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<b>IV. Workshop Setting</b> <ul style="list-style-type: none"> <li>Location/Duration: <ul style="list-style-type: none"> <li>Oliver Street Library, Community Room # 2, 7:00 a.m. – 9:00 a.m., Thursday, September 7, 2006</li> <li>Site Contact: Linda Jones, Head Librarian, xxx-xxx-xxx</li> </ul> </li> <li>Maximum No. of Participants: <ul style="list-style-type: none"> <li>18 participants may register for this training session</li> <li>Get the class list from ROV on Tuesday, September 5, 2006, xxx-xxx-xxxx</li> </ul> </li> </ul>														

## Sample #49. Exhibit D, Sample Training Agenda (page 2)

- Room set-up:
  - Arrange tables in a "U" in the center of the room w/ the open end toward the screen
  - Set up the projector/computer facing the screen
  - Set up the voting equipment in one corner of the room
  - Place the Case Study Sets on another table
- Adaptation for More Participants:
  - Expand the number of participants by multiples of 6
  - Arrange the room so folks are seated in groups of 6 from the beginning
  - Have one piece of voting equipment for every 4 groups
  - Have a Case Study Set for every 3 groups (have them share)
  - Have one facilitator (staff member or additional trainer) for every 4 groups

**V. Workshop Handouts**


Bring one for each participant except where noted:

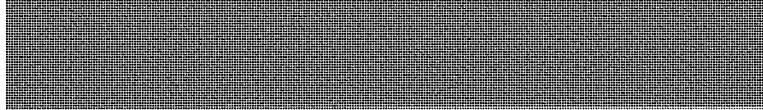
- Basic Poll Worker Training Workshop Frequently-Asked-Questions (called FAQ)
- Basic Poll Worker Training Workshop Case Studies # 1 -5
- Voting Equipment Job Aid (copy of laminated sheet that will be at polling place)
- Basic Poll Worker Assessment (bring 2x the number of participants)
- Basic Poll Worker Training Workshop Evaluation

**VI. Workshop Materials**

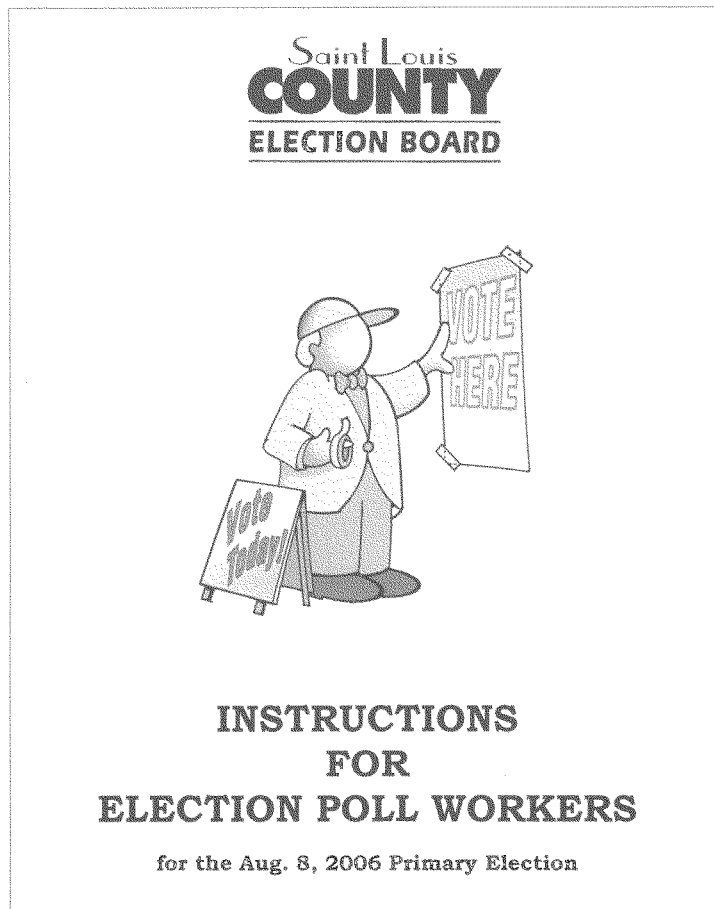
- Laptop computer, projector, screen
- Voting Equipment (for demonstration and solving case study 1 and 2)
- Case Study Set (one set for every 6 participants):
  - "Dummy" Poll Book (for solving case study 3)
  - Precinct Boundary Book (for solving case study 4)
  - Election Manual (for solving case study 5)

Sample #50. Exhibit E, Election Center's Checklist for Training of Poll Workers

		<div style="background-color: #cccccc; padding: 10px; text-align: center; font-size: 2em; font-weight: bold;">6</div>
12543 Westella, Suite 100, Houston, TX 77077, 281-293-0101		
<b>Checklist for Training of Poll Workers</b>		
<b>BEFORE TRAINING BEGINS:</b>		
Training site and room reserved, unlocked, and available on day of training? (did you check prior to training, even if room had been reserved?)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
At time of invitation, do you ask learners if they have any special needs accommodations?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Is training time sufficient to teach the required material and allow for lots of repetition and practice, practice, practice?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Have you posted signs to direct learners to the training room?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Is the training site and room accessible for persons with disabilities?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
If accessibility entrance is at a different location in building, do you provide directions from THAT entrance to the training room?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Is there ID or special badge requirements in order to enter the building?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you need a microphone?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Are there adequate chairs, lighting?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Is room set up so all can clearly see monitor, screen, trainer?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you need a projection screen?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Audio/visual tested and ready to be used? (back-up projector(s), spare bulbs, etc)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you consider having an objective 3 <sup>rd</sup> party (teacher, college instructor) observe the training and report feedback to trainer after session?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have enough training manuals, hand outs, checklists, and are they in order?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have sign-in sheets or attendance rosters?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have name tags for all attendees?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Do you have extra pens/pencils available?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Does your training manual have an index, tabs or table of contents for poll workers to easily locate specific topics?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Are power outlets accessible for audio/visual?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
Are you organized and comfortable with the material to be presented?	<input type="checkbox"/> YES	<input type="checkbox"/> NO



Sample #51. Cover Page to St. Louis County, MO,  
Training Manual





### Sample #52. Kennesaw State University Center for Election Systems: Poll Worker Training Evaluation

Look for patterns in errors on the quizzes. To better see the patterns, transform it from a bunch of answer sheets into a chart that associates questions with objectives and tallies the number of correct and incorrect responses. Your chart might look like this:

Sample Poll Worker Performance Chart				
Course	Basic Pollworker Training			
Session	October 13, 7:00 p.m., Main Library			
Instructor	B. Wise	<input type="radio"/> New <input type="radio"/> Experienced		
Instructor Preparation	<input type="radio"/> Given Training-In-A-Box Materials date: _____ <input type="radio"/> Attended Training-In-A-Box Meeting date: _____ <input type="radio"/> Attended Train-the-Trainer Session, date: _____ <input type="radio"/> Passed the Trainers Prep Test, date: _____ <input type="radio"/> None			
Participants	60			
<b>Evaluation Tool</b>				
Objective #	Question #	# Correct	# Incorrect	
1	1			
1	2			
1	3			
1	4			
1	5			
2	6			
2	7			
2	8			
2	9			
2	10			
3	11			
3	12			
3	13			
3	14			
4	15			
4	16			
4	17			
5	18			
5	19			
5	20			
Notes:				

If a one question is missed frequently look at how thoroughly that topic was treated in the training. Consider increasing the pollworkers' exposure to the topic, for example, the instructor may use a power point presentation to directly teach the concept then have the participants solve a case study using the information finally participants might play a "Jeopardy" style game that includes a

## Section Three. Retention

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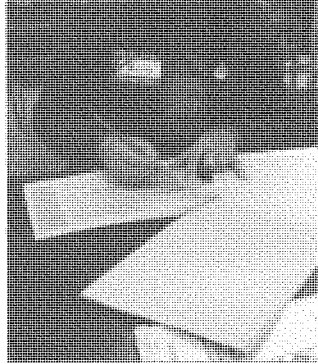
### Overview: Strategies To Keep the Poll Workers You Want

The stars of Election Day are the poll workers who take pride in how well they manage the polling place. This section offers strategies to keep them coming back.

The principles used by corporations to retain good employees offer helpful guidance for election officials. Roger Herman's book on employee retention, *Keeping Good People*, includes the following principles:

- Cultivate strong personal relationships.
- Offer them the potential for growth.
- Reward them.

These strategies will help strengthen your relationship with individual poll workers. In turn, poll workers will strengthen their commitment to you. This section includes strategies for increasing the benefits for poll workers that do not involve increasing the stipend; it also examines a variety of ways to reward poll workers. In a 2006 survey of National Association of Counties (NACo) members, nearly 30 percent of the respondents said they conducted a post-election analysis to evaluate poll worker performance.



## Chapter 18. Evaluating Poll Workers

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### In This Chapter

- Benefits of Evaluating Performance
- Resources Needed
- Pitfalls and Challenges
- Tips for Successful Implementation
- Evaluating the Poll Worker Performance Program
- Three Poll Worker Performance Evaluation Models

Poll workers, as well as election officials, need to know if they make errors.

Performance evaluations tell election officials which poll workers perform well or exceed expectations.

Many jurisdictions rely on voter feedback to evaluate poll workers. Nearly a quarter of the jurisdictions that participated in the spring 2006 NACo survey employ polling place observers. Their observations yield valuable information, but they cannot substitute for a structured evaluation of poll workers.

A structured evaluation traces errors to individual workers or teams of poll workers. After Election Day, officials review registration lists, provisional ballot applications, ballot accounting, and other paperwork and record all errors. They give report cards to poll workers or teams. This information can help plan training sessions and Election Day support.

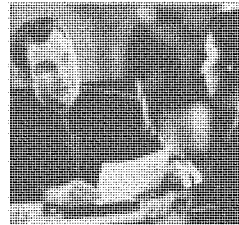
This detailed post-election analysis takes time, effort, and planning, but it is the only way an election official can obtain a clear view of what actually happened on Election Day. Also, in the event of a legal challenge, election officials must have a way to account for errors.

In jurisdictions where poll workers rotate tasks, a structured evaluation requires a system to track who did what and when.

#### Benefits of Evaluating Performance

Performance evaluation helps election officials place poll workers in positions appropriate to their skills and abilities. Occasionally, election officials will use the information to decide not to rehire a poll worker. Such decisions are easier if the decision is based on evaluation data.

Performance evaluation also reveals who the Election Day stars are. Election officials can use the evaluation to reward



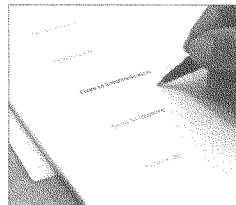
#### Poll Workers Can Be Evaluated on—

- Their attendance at training class.
- How well and how quickly they open the polling place.
- How successfully they find names in the voter registration list and supplemental lists.
- How correctly they process provisional ballot voters and related forms.
- How well they direct lost voters to the correct polling place.
- How thoroughly they count ballots.
- How well and how quickly they close the polling place.
- How correctly and quickly they close reports and send the results and critical materials to election central.
- Their interactions with voters and other poll workers.

excellent poll workers. In jurisdictions that offer opportunities to move into more responsible positions, evaluation data helps.

Data show trends across precincts and help identify issues in poll worker training. For example, if many poll workers are making the same mistake on the ballot accounting form, the reason might not be incompetence. Check that the form is clear and that the training has been thorough.

The point of poll worker evaluation is not to punish inadequate poll workers. It is a tool to improve accountability and the conduct of elections. If a challenge or a legal question arises after the election, officials must be able to recreate what happened at the polling place on Election Day.



#### Resources Needed

- **Staff time both before and after the election.** In one large jurisdiction, a staff member and several part-time assistants spent 6 weeks conducting the evaluation. In a small jurisdiction, the post-election evaluation process took one staff member a week to complete.
- **A database tool**, such as Excel or Access, or poll worker management software.

#### Pitfalls and Challenges

- Telling poll workers about their errors requires sensitivity and care. If the problem is minor or unusual, work with the poll worker. If the problem is major, such as disenfranchising a voter, consider "retiring" the poll worker.
- Long-time poll workers who have never been evaluated might bristle at first and regard the evaluation as a personal criticism. Election officials need to be clear that the evaluation is a tool for improving training and tracking how well poll workers are doing their jobs. Also, make it clear that you are evaluating only their performance of Election Day duties; do not make personal comments.

#### Tips for Successful Implementation

- A thorough evaluation requires planning before the election. Decide on the criteria and how performance will be measured. It might take several election cycles to establish measurable criteria and an appropriate grading system.

- Consider forming a task force of experienced poll workers to help develop the evaluation. Involving them in the process can help defuse potential resentment.
- Before training, inform poll workers that they will be evaluated.
- In jurisdictions where poll workers rotate Election Day tasks, make the precinct leader accountable. Provide the leader with forms to evaluate the performance of polling place staff. Conduct an analysis of how each polling place conducted the election—checkin procedures, provisional ballots, opening and closing—and go over the results with the precinct leader.
- In small jurisdictions, the evaluation process can be more personal. In one jurisdiction, the election official sends a note to the poll worker, along with a photocopy of the error and an explanation.

#### Evaluating the Poll Worker Performance Program

The goal of a formal poll worker performance evaluation program is to help weed out nonperformers and retain the most qualified poll workers.

One way to evaluate such a program is to take the poll worker tasks—attendance at training, opening and closing polls on time, and correctly processing provisional voters—and measure improvement from election to election.

#### Three Poll Worker Performance Evaluation Models

##### Evaluating and Rewarding by Teams (Humboldt County, CA)

The Humboldt County, CA, Elections Department requires more than 400 poll workers to conduct a countywide election. Poll workers open and close the polls, issue ballots, keep track of who has voted, and, in some polling places where we have multiple precincts, serve as traffic directors guiding voters to the right precinct board. These tasks and the list of supplies and equipment (tracked via a bar-code scheme) are one axis of the evaluation matrix. The other axis has the poll workers' names grouped by precinct board.

Election officers earn \$71 for serving as a clerk and \$76 for serving as an inspector. The county has conducted a poll worker evaluation and reward program since 1999. If the precinct board satisfactorily completes its tasks and returns the supplies and equipment, each poll worker on the board

*"It has been difficult to measure whether the evaluation program has led to improved poll worker performance because the poll worker's tasks change at every election," says the Humboldt County, CA, election manager. "However, the evaluation program does underscore that the completely integrated training program (the poll worker manual, the training handouts, the performance evaluation, and supplies) directly leads to a more perfect Election Day. Everyone on the canvass team plays some role in the evaluation program."*

*"The bonus program costs approximately \$8,000 per election. It was necessary to develop an extensive bar code scheme. On Election Night, everything that comes back from the polls is scanned. The next day it must be uploaded to a spreadsheet that shows what is missing (the first potential point deductions) and shows us what we need to find immediately. Other elements of the matrix are worked on and the voting history is captured, the rosters are gone through for completeness, accuracy, etc. One staff person is responsible for keeping score as all materials are gone through, and then the registrar reviews it at the end. Everyone on the canvass team plays some role in the evaluation program."*

*—Lindsey McWilliams, Elections Manager, Humboldt County, CA, Elections and Voter Registration Division*

receives a \$20 bonus. In the past two countywide elections, more than two-thirds of the precinct boards received their bonuses.

#### Evaluating Poll Worker Performance (Allen County, OH)

Allen County's poll worker evaluation program began in 2001. It focused on three major areas—poll books, ballot summary sheets, and returning materials. We determined that we should probably deal with the 10 most important items in each category so as not to get too complicated. Over the past 5 year, we have made minor adjustments and modifications. We constantly debrief and review our process, looking for improvements. The key to keeping this from becoming an overwhelming project is incorporating the evaluation form into our established processes. In other words, we unpack in teams—one member fills out the evaluation form while the other unpacks. We complete the poll book form as we review the poll book from each precinct; likewise, with the ballot summary sheet. As we review each summary sheet, we are guided by the evaluation form.

We do not send a letter to the poll worker. We review the summary sheets personally with the precinct's presiding judge at the next training session—that way, we can answer questions if they have any. We then rely on the presiding judge to share the information with the others and oversee implementation.

Recently, we began something new—we held a voluntary debriefing session with our presiding judges and assistant presiding judges. We let them speak to us regarding their Election Day experiences. It went exceptionally well. One of the things we found out was that they did not really understand what 'standards' we were using in our evaluation of their work. Other than the fact that it is all covered in our Poll Workers Procedure Manual, we could not answer their question. So we are now working on just such a matrix or standards guide.

We have seen dramatic improvement. First, this process has helped us refine our teaching curriculum in ways that more directly address problems. Second, it helps poll workers better understand specific errors and solutions.

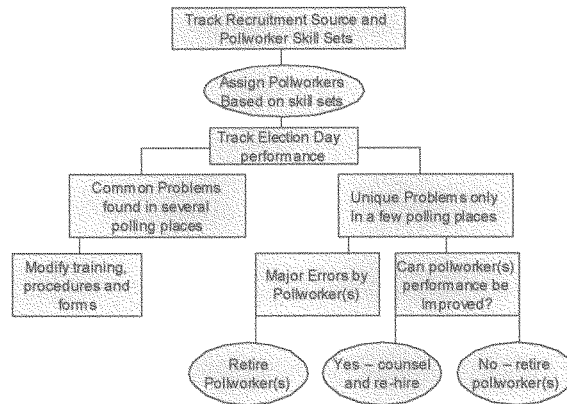
*"Our success in this, I believe, is to present it in a nonthreatening way to the poll workers. This has always been our basic goal in refining our education process. The first error is on us—perhaps we didn't teach well enough. From there it is to determine if you, the poll worker, are listening as well as learning, thus the second error is on you. From there it allows us to track whether or not we have ongoing problems with the same folks making the same errors over and over, in which case we might need to move them out of their position."*

—Keith Cunningham, Director,  
Allen County, OH, Board of  
Elections

Sample #53. Poll Worker Feedback Materials, Humboldt County, CA (pages 178–182)

Sample #54. Poll Book Report/Poll Worker Evaluation, Allen County, OH (page 183)

## Poll Worker Performance Tracking (Montgomery County, MD)



## Sample Discussion of Poll Worker Evaluation Program

## PROFESSIONAL PRACTICES PROGRAM 2006

EVALUATING ELECTION JUDGE PERFORMANCE  
The RTE (Recruitment/Training/Evaluation) to Success!

## MONTGOMERY COUNTY, MARYLAND

Contact: Sara Harris [sara.harris@montgomerycountymd.gov](mailto:sara.harris@montgomerycountymd.gov) 240-777-8522

Top quality election judge precinct performance is an essential element for successful voter service and well-conducted elections. Precinct election officials or early voting election officials can benefit from a well-planned, solidly implemented and integrated Election Judge Recruitment, Training and Evaluation program. Election Judge Evaluation is the third and necessary leg of a quality structure and voter service system.

The Montgomery County Board of Elections integrated a 3-part Election Judge Evaluation Program with Recruitment and Training, the Recruitment/Training/Evaluation (RTE) to success!

**Part I** - an in-depth analysis of election day documentation returned by election judges.

**Part II** - an Election Judge Performance Report prepared by trained observers.

**Part III** - a peer-to-peer survey conducted by Board of Elections staff after election day.

For the full text of this Professional Practices Paper, contact Sara Harris, [sara.harris@montgomerycountymaryland.gov](mailto:sara.harris@montgomerycountymaryland.gov)

Sample #55. Forms and Flow Chart, Montgomery County, MD's Program (pages 184-186)

## Chapter 19. Communication Strategies

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### In This Chapter

- Using the Poll Worker Newsletter as a Communication Tool
- Challenges
- Resources Needed
- Tips for Developing and Maintaining a Newsletter
- Communicating With Poll Workers Before Election Day
- Communicating With Poll Workers on Election Day

One way to retain poll workers is to stay in contact and keep them informed. According to the NACo survey, 1 in 5 jurisdictions sends regular newsletters to its poll workers. Nearly 1 in 10 jurisdictions conducted an Election Day review by meeting with poll workers later or sending them a report.

Use regular communication with poll workers to—

- Affirm the value of the poll worker to the election office.
- Say “thank you” to poll workers.
- Build a sense of community.
- Keep mailing addresses (or e-mail addresses) up to date.

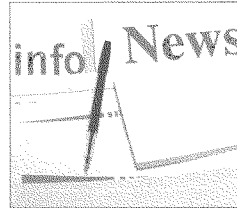
#### Using the Poll Worker Newsletter as a Communication Tool

Use the newsletter to prompt poll workers to contact the elections office. For example, give the dates of an upcoming election and provide a tear-off, signup form for them to complete and return. On the form, include information about positions and give them a choice of assignments. Also ask for updated contact information, including e-mail addresses, and feedback about their last experience.

#### Challenges

- Printing newsletters can be expensive; mailing them can be even more expensive. Consider e-mail as an alternative.
- Responding to feedback can be time consuming.

Sample #56, Poll Cat Newsletter, Botetourt County, VA (page 187)



#### Tips for Developing and Maintaining a Newsletter

##### Content

- A review of the last election and plans for improving the process.
- Changes or possible changes in legislation.
- Training schedules and other important dates.
- Opportunities for advancement within the program.
- A feature on special poll workers to reward and strengthen commitment (i.e., bilingual poll workers, poll workers who have helped in recruiting, poll workers who go above and beyond the call of duty, and poll workers with interesting backgrounds).
- Recruitment messages, including a list of precincts where poll workers are needed.
- A questionnaire for future election availability and assignments.





#### Resources Needed

Depending on the experience of the person assigned to develop the newsletter, MS Word is a basic option and PageMaker or MS Publisher are other options. MS Word offers several templates for creating professional-looking newsletters.

#### Tips for Developing and Maintaining a Newsletter

##### Content

- A review of the last election and plans for improving the process.
- Changes or possible changes in legislation.
- Training schedules and other important dates.
- Opportunities for advancement within the poll worker program.
- A feature on special poll workers to reward and strengthen commitment (bilingual poll workers, poll workers who help in recruiting, poll workers who go above and beyond the call of duty, poll workers with interesting backgrounds).
- Recruitment messages, including a list of precincts where poll workers are needed.
- A questionnaire for future election assignments and availability.

##### Design and Dissemination

- Consider asking a poll worker or community organization to produce the newsletter.
- Send electronic newsletters or briefings via e-mail to those who have e-mail.
- Put reserve and potential workers on the newsletter list.
- Provide copies of the newsletter at training classes to save the cost of mailing.

##### Evaluating Your Newsletter

- In a post-election debriefing, ask poll workers if the newsletter is worth it. Ask how to make it more engaging.
- Can you continue to produce and distribute a newsletter?

*"We communicate with our 22,000 poll workers via a poll worker newsletter called the Poll Cat. We mail the newsletter prior to every major election and it serves at least three purposes: (1) educates poll workers on the county's initiatives, (2) briefs poll workers on key procedures, (3) highlights interesting poll workers, and repeatedly seeks input from and gives thanks to the poll workers. It's a lot of work to produce a newsletter that is informative and fun, but we receive such great feedback that it's worth it."*

—Wanda Hamilton, Poll Cat Editor, Los Angeles County, CA

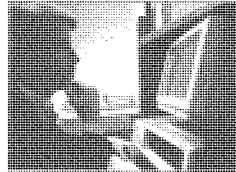
*"It's the kiss of death to have a volunteer's name on a list and not stay in touch with them more than once or twice a year."*

—Tyra Williams, Alpha Kappa Alpha Sorority, Washington, DC

- Can you measure its effectiveness? Can you track how much time and money the newsletter costs? Can you gauge whether it helps make poll workers feel better informed? How much does it help your retention rates? Does it encourage poll workers to become involved and take pride in their performance?

#### Communicating With Poll Workers Before Election Day

- Before Election Day, poll workers may have questions about training session dates, locations, and procedures. Poll workers must know how to contact the election office—the proper person to call and the phone number. Set up systems so poll workers can find information on their own.
- Encourage poll workers to use e-mail. It takes less time, especially when you create standardized e-mail responses to frequently asked questions (FAQs).
- Consider posting an FAQ page for poll workers on your Web site.
- Before Election Day, send a review of the most important things to remember.
- As Election Day approaches, prepare for an increase in the number of calls from poll workers. Make sure everyone updates voice mail messages to indicate when the caller can expect a response (within 24 hours). Designate people to field calls from poll workers and judges or to work with poll workers by voting district and precinct.
- It is important that your poll workers know how to reach you on the day before Election Day. Unanswered questions about polling-place assignments and locations can mean the difference between a polling place opening on time or opening late.
- "Ask Wanda." One jurisdiction has distributed a form in their poll worker training classes asking "Wanda" (a longtime poll worker who now works in the election office) for help. The form helps poll workers feel that a real person is there to answer their questions. It also provides an opportunity for poll workers to vent their frustrations to the election office.



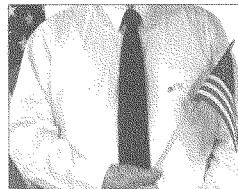
*Sample #57. Making It Count: Poll Worker Bulletin, King County, WA (page 188)*

*Sample #58. "Ask Wanda," Los Angeles County, CA, Feedback Form (page 189)*

### Communicating With Poll Workers on Election Day

It is most important to communicate with poll workers on Election Day, especially at peak times before the polls open and after the polls close.

- Jurisdictions now regularly issue cell phones to poll workers to use on Election Day to facilitate communication. But do not assume that all poll workers know how to use a cell phone. Include cell phone operation as part of your training.
- In some jurisdictions, poll workers are directed to call an area field technician, not the central office, when they encounter problems. In turn, the central office calls the area field technician when it learns about problems with voters or monitors.
- The central office number to call for help on Election Day is one of the most important pieces of information given to poll workers in training sessions. The process for requesting help must be repeated several times during training and in training materials. After the election, ask poll workers if they had problems communicating with the central office. Look for ways to expand technical support, reevaluate help-desk staffing level and procedures, or upgrade your phone system.



### Post-Election Resources and Tips

- *Provide feedback forms during the training sessions and on Election Day. Encourage poll workers to write down questions, comments, ideas, or solutions. Spotlight any new procedures developed as a result of poll workers' feedback. Reinforce the importance of their initiatives to the entire process for future elections.*
- *Poll worker survey—A post-election survey can provide valuable information on how well components of the poll worker program are working.*
- *Set up a voice mailbox or an e-mail address for receiving feedback from poll workers after the election.*

*Sample #59. Letter to Poll Workers, Napa Valley, CA (page 190)*

*Sample #60. Poll Worker Survey Developed for EAC Pilot Jurisdictions' Poll Workers (page 191)*

## Chapter 20. Tips for Repeat Service

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### In This Chapter

- Offer Excellent Training
- Give Special Recognition at Training
- Provide Incentives for Election Day
- Pay Poll Workers Quickly and Accurately
- Say "Thank You"
- Stage a Poll Worker Appreciation Event
- Establish a Training Certification Program
- Other Ways To Show Appreciation
- Statutory Requirements and Impediments

Poll worker retention takes effort, energy and resources, but the results are worth it. Elections office staff must work with, support, and nurture poll workers—those indispensable citizens who run the elections in the precincts.

Focus group participants have affirmed that the main reason poll workers return is that they enjoy the people they work with. Let your poll workers know you appreciate them. Thank them. Here are some ways to do that:

#### Offer Excellent Training

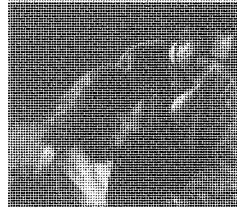
By providing poll workers with the tools and knowledge to run an election smoothly, you give them confidence, and they will return.

- Use discussion of techniques, Microsoft PowerPoint, hands-on training, and exercises. When appropriate, show a sense of humor.
- Some jurisdictions prefer to mix new and experienced workers in the same classes; others prefer to separate them according to their assigned Election Day positions.

#### Give Special Recognition at Training

Begin training sessions by recognizing individual poll workers. For example, acknowledge those who were recently married, celebrated a special event, won recognition, or distinguished themselves in some way.

- Give special ribbons for the number of years served.
- Offer door prizes.



*"Confidence-building is what we're about."*

—Sally Pujol, Precinct Operations Manager, Sacramento, CA

*"A well-informed poll worker is a happy worker."*

—Karen K. Hartenbower, County Clerk/Election Officer, Lyon County, KS

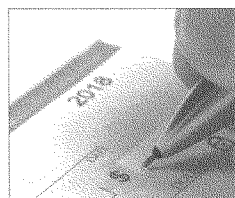
- Supply refreshments at training.
- Provide patriotic lapel pins.
- Provide name badges.

#### Provide Incentives for Election Day

Incentives might include—

- Bags for poll workers to take personal items to the polls.
- Lanyards for name tags.
- Survival packets, including candy, adhesive bandages, aspirin, and premoistened hand cloths.
- Election-specific lapel pins.
- Cookies or other food and drinks on Election Day.

**Note:** Although many poll workers do appreciate the incentives, those who participated in the League of Women Voters' focus groups did not consider them a necessary form of thanks. Finding the funds to provide incentives can also be a challenge.



#### Pay Poll Workers Quickly and Accurately

Tell poll workers when they can expect to be paid. Often poll workers are paid on the same biweekly cycle as the local government employees, so payday can be up to 2 weeks after the election. Make sure poll workers know this. Prompt payment shows your appreciation for the job they do.

Poll workers will become frustrated if the stipend they receive is incorrect and they have to spend time and effort to correct this.

#### Say "Thank You"

Volunteer-management experts stress the importance of saying "thank you" to your volunteers. Many poll workers who participated in focus groups around the country, however, said they do not remember being thanked for their service. Perhaps election officials need to say it louder. For example, election officials who provide doughnuts and coffee at the polls need to make it clear that they do so because they appreciate the service poll workers provide.

Of the jurisdictions responding to the NACo membership survey, 1 in 10 sent certificates of appreciation to their poll workers; 2 in 10 gave them ribbons, lapel pins, or other tokens of appreciation; and 1 in 60 sent thank-you letters.

### Stage a Poll Worker Appreciation Event

Consider partnering with elected officials to host a poll worker reception or awards ceremony. This takes more work than a thank-you letter, but it may have greater impact. An appreciation event will—

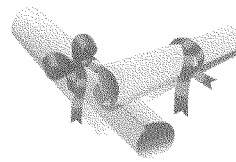
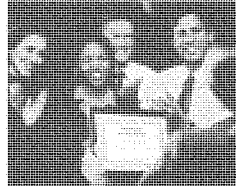
- Publicly affirm the value of poll workers to your office and to the government.
- Provide an enjoyable social occasion.
- Strengthen ties among poll workers and foster a sense of community.

Invite your poll workers to a special event in their honor. Ask local elected officials and the media to attend. Give special recognition to those who have worked more than 1 year and those who have performed well. Guests who come to celebrate with the poll workers are potential new poll workers. A ceremony gives you great publicity and raises the awareness of the need for poll workers.

- Ask whether the food can be donated by a local restaurant or grocery store.
- Ask the local League of Women Voters to greet the poll workers as they arrive.
- Present door prizes and give each worker a token of recognition; e.g., a flower donated by your neighborhood florist.
- Award certificates of appreciation at the event, including special recognition of those with longer service.

#### Resources Needed

- Staff time to coordinate the event and invite poll workers.
- Cost of invitations.
- Cost of the event, which can include renting space and catering the food.



Sample #61. Poll Worker Badge, King County, WA (page 192)

Sample #62. Photo of Lyon County, KS, Tote Bag (page 193)

### Pitfalls or Challenges

- The cost might be prohibitive for the jurisdiction.
- Some jurisdictions have rules prohibiting entertainment expenses. In this case, consider hosting a potluck supper without the use of election funds, where poll workers can contribute dishes and relax in an informal atmosphere.
- Accidentally leaving somebody off the invitation list can create hard feelings. Make sure your invitation list is up to date.

### Establish a Training Certification Program

Those workers who complete the class could be paid more. The training consists of specific classes on procedures and laws at the precinct level.

To become certified, workers must attend a specified number of class hours and pass a test on the information presented in the class. This program creates a pool of dedicated workers who will return year after year.

### Other Ways To Show Appreciation

- Greet workers who return supplies with a smile.
- Convince local businesses to provide discount coupons for poll workers.
- Send personalized thank-you letters or cards, preferably handwritten.
- Have your jurisdiction proclaim and publish Poll Worker Appreciation Month every November.
- Send birthday letters and, for other major life events, greeting cards.

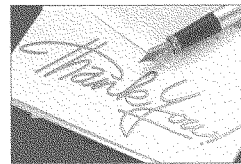
### Statutory Requirements and Impediments

State laws, including the following, may have an impact on poll worker retention programs.

- **Certification or training requirements for poll workers.** These set minimum standards for poll worker knowledge and performance. Some might fail the certification process, or you may need to dismiss a poll worker. A state-wide certification or training process will provide for both contingencies.

*"I think that when President John F. Kennedy said, 'Ask not what your country can do for you; ask what you can do for your country,' he described Lawrence County poll workers."*

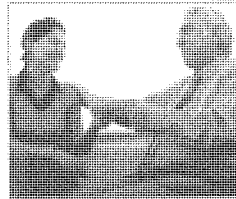
*—Marlene D. Gabriel, Director of Voter Registration and Elections, Lawrence County, PA*



*"Once they invest that much time and effort into becoming certified, they don't walk away. They stick around."*

*—George Gilbert, Director of Elections, Guilford, NC*

- **Duration of term.** Many States specify the length of term for serving as a poll worker. Election officials who consider adopting a poll worker evaluation program may be required to keep poll workers until the end of their terms, even if their performance is poor.
- **Poll worker pay.** If poll worker compensation is set by State law and you believe the payment level is insufficient, consider other forms of compensation. Not all rewards need be monetary. For example, young poll workers might show progressive levels of proficiency on their resumes. Point out that serving as a precinct leader looks good on a law school or job application.
- **Rules prohibiting use of public funds for entertainment.** Know the rules about spending money for entertainment before planning a reception or event to thank your poll workers.



#### **Model Program**

*In Pennsylvania, more than 300 poll workers and their families attended a ceremony honoring poll workers who had worked 10 years or more. Each honoree received a certificate and a flag. Six workers who had served for more than 50 years also received a rose and a letter of commendation from the State's highest election official.*

#### **Model Program**

*At least two jurisdictions work in cooperation with their local community college. To receive certification in one jurisdiction, the poll worker must attend 18 class hours. Approximately 40 percent of their workers are now certified. Retention in that county has run from 78 to 90 percent. In another jurisdiction, poll workers receive college credit for attending training sessions.*



## Appendix

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### Section Three Samples

*Sample #53. Poll Worker Feedback Materials, Humboldt County, CA (pages 178–182)*

*Sample #54. Poll Book Report/Poll Worker Evaluation, Allen County, OH (page 183)*

*Sample #55. Forms and Flow Chart, Montgomery County, MD's Program (pages 184–186)*

*Sample #56. Poll Cat Newsletter, Botetourt County, VA (page 187)*

*Sample #57. Making It Count: Poll Worker Bulletin, King County, WA (page 188)*

*Sample #58. "Ask Wanda," Los Angeles County, CA, Feedback Form (page 189)*

*Sample #59. Letter to Poll Workers, Napa Valley, CA (page 190)*

*Sample #60. Poll Worker Survey Developed for EAC Pilot Jurisdictions' Poll Workers (page 191)*

*Sample #61. Poll Worker Badge, King County, WA (page 192)*

*Sample #62. Photo of Lyon County, KS, Tote Bag (page 193)*

*This Guidebook contains sample documents used by various State and local election jurisdictions. The U.S. Election Assistance Commission has published these documents with the express permission of its owner. These documents are intended to be representative of relevant election administration practice throughout the nation and to illustrate the concepts being described in the text. The inclusion of these samples in this Guidebook does not constitute an endorsement by the U.S. Election Assistance Commission. Additionally, as State law varies and is subject to change, readers are cautioned to obtain legal advice prior to adopting any new policy, procedure or document.*

### Sample #53. Poll Worker Feedback Materials, Humboldt County, CA

**Precinct Handbook Appendix A**

**PRECINCT BOARD PERFORMANCE MATRIX**

Election Date: \_\_\_\_\_ Precinct Number: \_\_\_\_\_

Points Possible = 36 32 or above = BONUS

	ACTIVITY	YES	NO	POINTS POSSIBLE	POINTS AWARDED
1	Security Log Completed and returned as required			6	
2	Attended School of Instructions - Inspector only required			2	
3	Polls opened and closed timely			2	
4	Results transmitted by 9:00 p.m. or Elections Office notified of problem transmitting (See GEHS Log)			1	
	<b>Roster-Index</b>				
1	Ballot Statement completed			2	
2	Calculations on Ballot Statement are accurate			2	
3	Declaration of Election Officers completed correctly			1	
4	Certificate of Voters Voting completed correctly			1	
5	Absentee voters transferred to roster-index pages			1	
6	All absentee voters signed "AV roster" - not main roster			1	
7	All provisional voters signed "Log of Provisional Voters" and not master Roster			1	
8	Board finds voters on roster or supplemental roster - two or more registered voters voting provisional ballots loses point			1	
	<b>Required materials turned in on election night in transport bag</b>				
1	Ballot receipt completed and returned			1	
2	Regular voted ballots returned in Container A			1	
3	Container A sealed			1	
4	Number of ballots enclosed written correctly on Container A label			1	
5	<b>Provisional Plastic Bag</b> - label on paper, not bag, number of provisional ballot envelopes on paper, and Provisional ballot envelopes inside bag			1	
6	<b>Provisional</b> envelopes received from voters are completed correctly by board with affidavits as appropriate			1	
7	<b>Absentee Ballot (AV) Bag</b> - label on paper, not bag, number of absentee ballot envelopes on paper, and Absentee ballot envelopes inside bag			1	
8	<b>Write-in Bag (#3)</b> - label on paper, not bag, outside of envelope completed correctly and Write-in ballots inside envelope			1	
9	<b>Bag (Envelope) #2</b> - label on paper, not bag, check boxes completed correctly and Master Roster, Oath/Payroll, AccuVote Results Tape, completed affidavits, certificate, and etc. in envelope			1	

Precinct Handbook Appendix A.vwpd Page 1

### Sample #53. Poll Worker Feedback Materials, Humboldt County, CA (page 2)

10	<b>Ballots Not Read by AccuVote Bag</b> – label on paper, not bag, place all valid ballots the AccuVote could not read in this bag			1	
11	<b>Bag #1</b> – label on paper, not bag, containing spoiled ballots, stubs, and surrendered AV ballots – <b>No valid ballots in bag</b>			1	
12	<b>Transport bag locked</b>			2	
	<b>Miscellaneous</b>				
1	Unused ballots returned in Supply Box			1	
2	Unused ballots accounting sheet completed correctly			1	
	<b>Total Points</b>			36	
	<b>Bonus</b>	<b>YES</b>	<b>NO</b>		

#### Performance Matrix (Appendix, page 1)

This is the matrix we use to calculate your bonus. Points are awarded on a pass/fail, all or nothing basis. This is how you can lose your bonus for not completing the Security Log. We try to keep the matrix as simple as possible so the items are not weighted for relative importance, except for the Security Log.

We give you a PRECINCT SUPPLIES CLOSING CHECKLIST which very much relates to the matrix. The Checklist tells you where things are supposed to go when you close your poll. Correctly following the checklist figures in 30 of the 36 points.

#### PRECINCT SECURITY LOG (page 3)

The Precinct Security Log is a single point of failure for losing your bonus. On Monday before the election, go to the poll and make sure we have given you everything you need for the election. This Log will be in the front of your Roster binder. We will fill in the boxes in BLUE: Precinct Name, the initial Seal Number on the Supply Box, and the AccuVote Serial Number, Memory Card Number, and AccuVote Security Seal Number. Here's what you fill in, at a minimum. Note they are in RED.

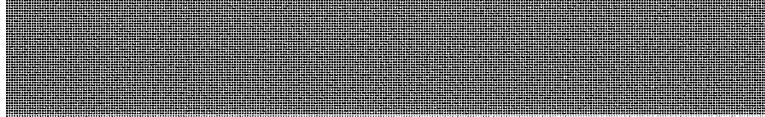
- Inspector – print or sign your name.
- In the first Supply Box box, verify that the Seal Number on the Log is what was on the Supply Box. If it is different, check the NO box and note the number that was on the Seal. Verify that the contents of the Supply Box are intact. If there is a problem, **call us**.
- When you are ready to reseal the Supply Box, note the new Seal Number in the second box and check YES that you sealed the Supply Box.
- On Tuesday (election) morning, verify that the seal you put on the Supply Box Monday is still there. Check the YES box in the third box and write down the Seal Number.
- On Tuesday (election) evening when you are ready to reseal the Supply Box, note the new Seal Number in the second box and check YES that you sealed the Supply Box.
- At the lower left corner of the Security Log is a place to record the number on the big black ballot box

If something happens during the day that requires a change in your AccuVote, the AccuVote memory card, or the AccuVote Security Seal, you must note the reason for the change, and the serial number of the

Sample #53. Poll Worker Feedback Materials, Humboldt County, CA (page 3)

new AccuVote, AccuVote Memory Card, and AccuVote Security Seal. In the example above, the memory card was changed, and the number of the new card and security seal were recorded. The inspector initialed the Memory Card box and signed under the new Security Seal Number.

Precinct Security Log			
Precinct <u>3A-12</u>	Inspector <u>Milt Boyd</u>		
<b>Supply Box</b> Sealed when you arrived for setup? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Seal No. <u>114267</u>	Sealed when you left after setup? <input type="checkbox"/> YES <input type="checkbox"/> NO Seal No. _____	Sealed when you arrived election day? <input type="checkbox"/> YES <input type="checkbox"/> NO Seal No. _____	Sealed when you closed election night? <input type="checkbox"/> YES <input type="checkbox"/> NO Seal No. _____
<b>AccuVote</b> AccuVote Serial No. <u>71347</u> REASON FOR CHANGE: Change to AccuVote, memory card, and/or AV Security Seal New Serial No. _____ Election Officer Initial _____	Memory Card No. <u>128-015</u> REASON FOR CHANGE: Got new memory to insert on startup. used new mem card. New Memory Card No. <u>128-015</u> Election Officer Initial <u>MB</u>	AccuVote Security Seal No. <u>0147263</u> REASON FOR CHANGE: Got new security seal. New Seal Serial No. <u>0147263</u> ELECTION OFFICER SIGNATURE <u>Milt Boyd</u>	
<b>Ballot Box</b> No. <u>45</u> REASON FOR CHANGE: New Ballot Box No. _____ ELECTION OFFICER SIGNATURE _____	REASON FOR CHANGE: New Ballot Box No. _____ ELECTION OFFICER SIGNATURE _____		




Sample #53. Poll Worker Feedback Materials, Humboldt County, CA (page 4)

ELECTION NIGHT RETURN LABELS	
<p>BAG/ENVELOPE NO. 2 1E-35 100001</p> <p><small>1E-35 100001 1E-35 100001 1E-35 100001</small></p>	<p>ABSENTEE ENVELOPES 1E-35 100001</p> <p><small>1E-35 100001 1E-35 100001 1E-35 100001</small></p>
<p>PROVISIONAL ENVELOPES 1E-35 100001</p> <p><small>1E-35 100001 1E-35 100001 1E-35 100001</small></p>	<p>BAG/ENVELOPE NO. 3 (Write-ins) 1E-35 100001</p> <p><small>1E-35 100001 1E-35 100001 1E-35 100001</small></p>
<p>UNREAD BALLOTS 1E-35 100001</p> <p><small>1E-35 100001 1E-35 100001 1E-35 100001</small></p>	<p>BAG/ENVELOPE NO. 1 1E-35 100001</p> <p><small>1E-35 100001 1E-35 100001 1E-35 100001</small></p>

not use them, you will not get your bonus.

You have six large plastic bags with clear plastic pouches attached to them. Inside the pouches are paper slips that correspond to these labels. Pull the paper slips out of their pouches far enough to put the bar code label on the upper right corner of the slip and put it back in the pouch.



Please Attach the Code Label for Envelope No. 1 here on the piece of paper - NOT ON THE PLASTIC BAG

**GENERAL ELECTION  
NOVEMBER 7, 2006**

**ENCLOSE IN THIS ENVELOPE NO. 1**

Check (✓) items as they are inserted in this envelope.

☐ Spoiled Ballots (if any)

☐ Stubs from Ballots Used

☐ Absent Voter Ballots Surrendered (if any)

Place this envelope in Transport Bag

Sample #53. Poll Worker Feedback Materials, Humboldt County, CA (page 5)

**COMBINED ROSTER INDEX** (Page 6)

Your Combined Roster Index has changed from June, 2006. There are more pages and we have tried to make all of them easier to deal with and fill out. We are using red type to try to focus your attention on boxes or sections that **must be completed**.

The first page has three boxes on it. The upper right box contains information we provide: your precinct name (e.g. 1E-45), your precinct number (e.g. 100008), your polling place location, and the title of the election.

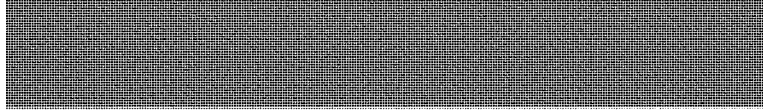
The Declaration of Election Officers on the left side of the page also has your precinct name and the date of the election. **All poll workers must sign in this box before the polls open.** The inspector should also put her/his name on the line in the sentence, "Signed in the presence of *(inspector's name)* on \_\_\_\_\_, 20\_\_," and put the election date on the other blanks.

You may need to replace a poll worker during the day. If this occurs, you must note the change in the FILLED VACANCIES CERTIFICATE. The box has instructions: print the person's name who did not appear or who left on the top lines and print the name of the replacement poll workers on the bottom lines.

**BALLOT STATEMENT PAGE** (page 7)

This box used to be on the Combined Roster Index page but enough people either got it wrong or didn't fill it out that it now has its own special page complete with instructions. Notice it says in bold red type, "This Statement must be completed after you close your Poll." We really mean it. You get one point for trying and another if your addition is correct. While it doesn't have the matrix weight of the Security Log, this is really the key to election integrity.

It has instructions for each line of the Ballot Statement.



Sample #54. Poll Book Report/Poll Worker Evaluation,  
Allen County, OH

ALLEN COUNTY BOARD OF ELECTIONS		
ELECTION DATE ____/____/____		PRECINCT _____
<u>POLL BOOK REPORT</u>		
	CORRECT	COMMENTS
OATH SIGNED		
CERTIFICATION SIGNED		
SIGNATURE		
ADDRESS		
VOTES CAST		
STUB NUMBERS		
PROVISIONAL		
YELLOW LAST PAGE		
HIGHLIGHTER		
ABSENTEE		
MISC		
POLL BOOK    EXCELLENT    GOOD    FAIR    CHECKED BY _____		
FORM PE-3		

## Sample #55. Forms and Flow Chart, Montgomery County, MD's Program

Board of Elections Montgomery County, Maryland		D-P	Polling Place
<b>POLLING PLACE SUPPORT PROGRAM</b> (Electronic Poll Books) PRECINCT EVALUATION REPORT - 2006			
ARRIVAL TIME: _____	DEPARTURE TIME: _____	Primary <input type="checkbox"/>	General <input type="checkbox"/>
<b>I. OUTDOOR SIGNS</b>			
1. "VOTE HERE!" Sign (1 or 2 - to direct voters into polling place from street)	Yes	No	N/A
2. "No Electronic" Signs (see attached Site Map)	Yes	No	N/A
3. Temporary "Elderly/Handicapped Parking" Signs (see attached Site Map)	Yes	No	N/A
4. Temporary "Van Parking Only" Sign (1) - (see attached Site Map)	Yes	No	N/A
<b>II. INDOOR AND/OR OUTDOOR SIGNS</b>			
1. "Accessible Entrance Directional Arrow" Signs (?)	Yes	No	N/A
2. "Red Arrow" Signs (0)	Yes	No	N/A
3. "Watch Your Step" Caution Signs (2-If Required)	Yes	No	N/A
<b>III. INDOOR POSTERS, SIGNS, AND/OR DOCUMENTS</b> <i>(No signs may be posted near Voting Units)</i>			
<b>Are the following required posters/documents clearly posted inside Polling Room?</b>			
1. Instructions to Voters From the Attorney General of Maryland	Yes	No	N/A
2. Specimen Ballot Text of Questions Appearing on Ballot (General Election only)	Yes	No	N/A
3. Write-in Candidate List (General Election only)	Yes	No	N/A
4. Zero Report Tapes from each TS Voting Unit	Yes	No	N/A
5. Unofficial Voter Turnout Report (9:00 a.m. & 3:00 p.m.)	Yes	No	N/A
<b>Are the following convenience signs/posters inside the Polling Room?</b>			
1. Write-in Voting Instruction Poster (General Election Only)	Yes	No	N/A
2. Voter Access Card Notice (On Voting Unit Table with Voter Access Card Box)	Yes	No	N/A
3. "Wait Here" for Escort to Voting Unit (Voting Unit Table)	Yes	No	N/A
4. Voting Time Warning Notice to Voters (Voting Unit Table)	Yes	No	N/A
<b>Are other signs and documents posted in the Polling Room or near the entrance to the Polling Room but inside the polling facility?</b>			
1. TS Voting Unit Instruction Poster	Yes	No	N/A
2. Provisional Ballot Clarified Uses	Yes	No	N/A
3. Voting Rights in Maryland Poster	Yes	No	N/A
4. Identification Requirement and Provisional Voting Poster	Yes	No	N/A
5. Voters with Special Needs Poster	Yes	No	N/A
6. Warning	Yes	No	N/A
7. Election Judge Poster	Yes	No	N/A
8. Voting Rights Act - Subsection F	Yes	No	N/A
9. Continuation No Smoking, No Children Over 12 in Voting Booth.	Yes	No	N/A
Sign: No Cell Phone Use, No Photographs of Persons Voting	Yes	No	N/A
<b>IV. POLLING ROOM LAYOUT/GENERAL OBSERVATIONS</b>			
1. Is room layout conducive to smooth traffic flow from station to station?	Yes	No	N/A
2. Is there a working land telephone in the polling room? If not, please call 240-777-8580 to report.	Yes	No	N/A
3. Are Check-in Tables set-up to process voters efficiently?	Yes	No	N/A
4. Are Electronic Poll Book cords contained and not a safety threat to voters or election judges?	Yes	No	N/A
5. Are Voting Units positioned at an angle to ensure voter privacy while voting?	Yes	No	N/A
6. Are two (2) Touch Screen Voting Units designated accessible?	Yes	No	N/A
7. Are ALL Touch Screen Voting Units up and running?	Yes	No	N/A
If not, why not? _____			
8. Are there lines of five (5) or more voters? <input type="checkbox"/> White? <input type="checkbox"/>	Yes	No	N/A
Check-in Table <input type="checkbox"/> Provisional Table <input type="checkbox"/> Voting Unit Table <input type="checkbox"/> Other <input type="checkbox"/>	If other, explain _____		
9. Are all judges wearing name tags?	Yes	No	N/A
<b>V. SECURITY - Critical Election Materials</b>			
<b>Are any of the following materials <u>unattended</u>?</b>			
1. Electronic Poll Books (EPBs) at Check-in Tables?	Yes	No	N/A
2. Voter Access Cards at Check-in Tables or Voting Unit Tables?	Yes	No	N/A
3. Card Case (Keys, Supervisor Cards, Pinword, Tamper Tape) at Voter Assistance Table?	Yes	No	N/A
4. Unvoted Provisional Ballots	Yes	No	N/A
5. Voted Provisional Ballot Bag	Yes	No	N/A
6. Tamper Tape secure on ALL Voting Units?	Yes	No	N/A
Please explain below exact item and location of any security breach observed.			



Sample #55. Forms and Flow Chart, Montgomery  
County, MD's Program (page 2)

**LEGAL PROCEDURE COMPLIANCE:**

**I. CHECK-IN REGISTER JUDGES:**

Are Judges:

1. Determining eligibility of voter to vote a standard/electronic ballot?
  - a. Asking voter "What is your Name?" Repeating the name?
  - Asking voter "What is your Month and Day of Birth?"
2. Locating voter's name with Electronic Poll Book?
  - a. Asking voter "What is your Current Address?"
3. Discretely confirming the Voter's party affiliation? (Primary only)
4. Processing Voter Access Cards?
5. Processing Voter Access Cards to activate the audio ballot, if requested?
6. Following this procedure in the **exact order** as indicated above?
7. Asking ID Required Voters to produce acceptable identification.
  - a. Recording ID information on Supplemental Change Form.
  - b. If unacceptable or no identification, directing voter to Chief Judge.
8. Issuing "Change/Correction Voter Information Supplemental Form" (for changes to voter's record)?
9. Passing activated Voter Access Card to VAC Judge?
10. Directing eligible voters to VAC Judge?
11. Directing ineligible voters to the Chief Judge?

Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A

**II. VAC JUDGES**

Are Judges:

1. Removing VAC from Electronic Poll Book Printer?
2. With VAC in hand confirming **Voter's Name** and **Date of Birth**?
3. Recording the following on front of VAC?
  - a. Check-in Table Number (T-1, T-2, T-3)
  - b. Electronic Poll Book Number
  - c. Voter Tally Number & marking off assigned Number on Tally Sheet
4. Initializing VAC in designated space?
5. Instructing voters to sign the VAC on the Signature Line?
6. Giving Voter activated Voter Access Card?
7. Instructing Voter to proceed to Voting Unit Table with VAC and activated Voter Access Card?

Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A

**III. TOUCH SCREEN VOTING UNIT JUDGES**

Are Judges:

1. Monitoring activity around Touch Screen Voting Units?
2. Managing lines when necessary?
3. Explaining to voters how to use the TS Unit & insert Voter Access Card?
4. Collecting VACs from Voters?
5. Confirming voter's Ballot Type on screen: Dem., Rep., or Other? (Primary Election Only)
6. Confirming appearance of ballot? (General Election)?
7. Recording Voting Unit Number on VAC?
8. Placing VAC in Envelope attached to Voting Unit?
9. Marking off voter number on "Voting Unit Tally Sheet" affixed to Voting Unit?
7. Have Judges cancelled a ballot? How?

Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A
Yes	No	N/A

8. Is voter's secrecy being preserved at all times?
9. Collecting Voter Access Card from voters?
10. Returning Voter Access Cards to Check-in Tables in a timely manner?

Yes	No	N/A
Yes	No	N/A
Yes	No	N/A

**IV. ASSISTANT CHIEF/PROVISIONAL JUDGES**

Are Judges:

1. Facilitating Provisional Voting for voters not qualified to vote a standard/electronic ballot for the following reasons:
  - a. Not listed in the Precinct Register.
  - b. Listed in the Precinct Register but indicated a change of address.

Yes	No	N/A
Yes	No	N/A

### Sample #55. Forms and Flow Chart, Montgomery County, MD's Program (page 3)

<p>c. Listed in Precinct Register but claims to have a different party affiliation (<b>Primary Election Only</b>)</p> <p>d. Listed as an Absentee Voter or as having already voted.</p> <p>e. Listed as "Show ID" and unable to provide sufficient identification.</p> <p>f. Listed as "pending" &amp; "Show ID".</p> <p>g. Listed as "pending" &amp; Need DL#/SSN#.</p> <p>h. Challenged by a poll watcher &amp; could not provide acceptable form of identification.</p> <p>i. Other. (explain)</p>	<table border="1"> <tr><td>Yes</td><td>No</td><td>N/A</td></tr> <tr><td>Yes</td><td>No</td><td>N/A</td></tr> <tr><td>Yes</td><td>No</td><td>N/A</td></tr> <tr><td>Yes</td><td>No</td><td>N/A</td></tr> <tr><td>Yes</td><td>No</td><td>N/A</td></tr> <tr><td>Yes</td><td>No</td><td>N/A</td></tr> <tr><td>Yes</td><td>No</td><td>N/A</td></tr> </table>	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A	Yes	No	N/A
Yes	No	N/A																				
Yes	No	N/A																				
Yes	No	N/A																				
Yes	No	N/A																				
Yes	No	N/A																				
Yes	No	N/A																				
Yes	No	N/A																				

Which of the above reasons is most common for issuance of Provisional Ballots? \_\_\_\_\_ 1.

2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_

2. When issuing Provisional Ballots, are Judges

a. Checking that "Maryland Provisional Ballot Application" is complete?	Yes	No	N/A
b. Making sure the voter has completed a Voter Authority Card?	Yes	No	N/A
c. Explaining to voter how to fill in ovals on Provisional Optical Scan Ballot?	Yes	No	N/A
3. Controlling and securing voted and unvoted Provisional Ballots?	Yes	No	N/A
4. Are judges assisting elsewhere in the precinct?	Yes	No	N/A

Are there bilingual judge(s) in the precinct? Yes No N/A

Position: \_\_\_\_\_ Language: \_\_\_\_\_

Position: \_\_\_\_\_ Language: \_\_\_\_\_

**V. CHIEF JUDGES**

1. Have voting unit problems occurred opening the election or while voting? (If so explain below) Yes No N/A

2. If after 10:00 a.m., has "Precinct Unofficial Turnout Report" been posted outside polling room door? Yes No N/A

3. Who is in or has been in the polling room?

Challengers and Watchers ☐ Candidates ☐ Political Party Workers ☐ Media ☐ Visitors ☐

(Name/Group) \_\_\_\_\_

*(Remind Chief Judges to include this information and Election Coordinator's visit on Election Day Log.)*

**Voter Situation**

Have Temporary VACs been issued? (If so, why?) (If, supplied) Yes No N/A

Has voting assistance been given requiring completion of "Voter Assistance Form"? Yes No N/A

If so, in what type of voting: Standard/Electronic ☐ Standard/Electronic with VIBS ☐ Provisional ☐

**Resolving Voter Problems**

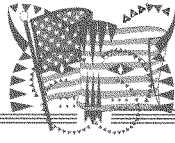
a. Provisional Voting – Providing choices of voting location, if needed?	Yes	No	N/A
b. Issuing a Provisional Voter Authority Card and assisting voter completing the card?	Yes	No	N/A
c. Assist Voters locating correct polling place the Electronic Poll Book? (If applicable)	Yes	No	N/A
d. Proof of Voting-"Certificate of Participation" form – Requested by voter?	Yes	No	N/A
e. Other – What and How? (e.g. name, address changes, voter registration)			
f. Have voters requested "paper Ballots"? If yes, How many? What did Chief Judge do?	Yes	No	N/A

**REPORT COMMENTS, EXPLANATIONS & OBSERVATIONS:** Please describe and indicate exactly position, location and situation and print clearly.

\_\_\_\_\_

\_\_\_\_\_

Sample #56. *Poll Cat* Newsletter, Botetourt County, VA



Occasional News for Our Officers of Election

# POLLcat

Botetourt County, Virginia  
Volume 1, Number 1      March, 2006

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## BOARD NOTES

*Botetourt County Electoral Board*

Every City and County in Virginia--134 in all, has a 3-member Electoral Board. In this first issue of our PollCat newsletter, I want to explain what Electoral Boards are all about.

The Electoral Board oversees elections in Botetourt County, working with the Registrar's office to make sure the precincts are staffed, have all the necessary paperwork, have properly tested and certified voting machines loaded with the current election, and provides for the supervision of the conduct of elections. YOU, of course, are the real workers of the election. The integrity of elections in Botetourt County starts with the officers of election in the precinct.

The Electoral Board is also charged with canvassing the election. This process is performed the day after the election by the Board reviewing the results turned in by each precinct, to verify the results and catch any errors or omissions (the dreaded phone call the day after an election).

The recount in December was a clear reminder of this very important function. (Botetourt County had NO changes in the results reported by the precincts).

## PREPPING FOR AN ELECTION

*Phyllis Dierschow, General Registrar*

As soon as one election is over, we begin to prepare for the next.

This is the first in a series of columns where I hope to explain the workings of voter registration and election management.

To be eligible to vote, you must be registered. A qualified voter resides in Botetourt County, is 18 or will be by the fall election, is a citizen of the US, is not a felon and has not been adjudicated mentally incompetent.


The task of keeping and updating the rolls of registered voters is a daily process. Ted Towles primarily handles that task.

Election management is the second task of this office. We qualify candidates, pack election supplies, program voting machines, and most important - assemble and train our officers of election for each election.

In 2006, we have a full slate:


- May 2, 2006 Town Elections
- June 13, 2006 Democratic Primary
- November 7, 2006 General Election

Please be willing to serve when asked. We count on our faithful, well-trained officers to conduct the best election possible. It is a privilege and an honor to serve your fellow citizens.



### POLLcat SPOTLIGHT

Coloring Eggs - revived by a Pharmacist



Originally, the Persians and later the Egyptians exchanged colored eggs to celebrate the return of spring and as a sign of goodwill. The eggs were often a bright red to signify blood and life force. By 1880, in America, the Pennsylvania Dutch and Ukrainians were the only ethnic groups who still observed this tradition. A druggist in New Jersey came up with the idea of powdered dye in small packets after spilling some on a suit and ruining the suit. He had a worker pre-package the dyes which made it easier to color the eggs and the tradition was renewed. Of course, today many people use the colored plastic eggs filled with candy. I am looking for a chicken that lays chocolate eggs!

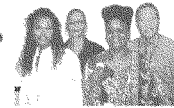
Sample #57. *Making It Count: Poll Worker Bulletin*,  
King County, WA



Sample #58. "Ask Wanda," Los Angeles County, CA,  
Feedback Form

## QUESTIONS?

### ASK POLLS



Jean, Leslie, Ophelia, Ballard

...if you have questions about:

- your assignment
- getting paid
- your precinct board

*For the quickest response, call the number  
on your appointment notice .*

If you do not have that number call:  
562.462.2509 or  
800.815.2666 (Option 7)

### ASK WANDA



Wanda

...if you have questions about:

- procedures at the polling place
- something you did not fully understand  
in training class

*For the quickest response, send an email to:  
[askWanda@rrcc.co.la.ca.us](mailto:askWanda@rrcc.co.la.ca.us)*

...or visit website at [www.lavote.net](http://www.lavote.net), click on "Take the Pollworker  
Plunge," then click on "Pollworkers only," then click on "Ask  
Wanda."

If you do not have email, call: 562.462.2728

## Sample #59. Letter to Poll Workers, Napa Valley, CA



**JOHN TUTEUR**  
REGISTRAR OF VOTERS

**NAPA COUNTY ELECTIONS DEPARTMENT**  
900 Coombs St Rm 256 NAPA CA 94559-2936  
PHONE 707.253.4321 FAX 707.253.4390

DEAR POLL WORKER,

I wanted to let you know how proud I am of each and every one of our poll workers and your performance on Election Day November 7, 2006. I spoke with several of you late in the day at those locations where lines had formed. I was uniformly impressed with the calm and professional manner with which voters were being treated during a difficult time.

I want to assure you that our Elections staff is working on changes that will be implemented well before June 3, 2008 to insure that poll worker stress and voter frustration are avoided during that Primary Election. Please contact me directly if you want to discuss our training and Election Day procedures by voice 707.253.4459 or by electronic mail at [jtuteur@co.napa.ca.us](mailto:jtuteur@co.napa.ca.us).

Congratulations and thanks for your vital contribution to the successful conduct of the November 7, 2006 General Election. I look forward to working with you again in June 2008.

Sincerely,

**JOHN TUTEUR**  
REGISTRAR OF VOTERS

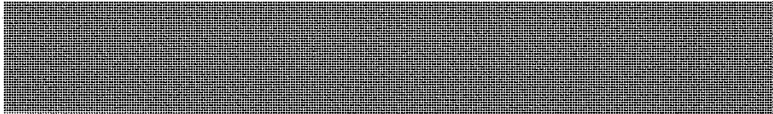
Sample #60. Poll Worker Survey Developed for EAC  
Pilot Jurisdictions' Poll Workers

CITY OF MILWAUKEE ELECTION COMMISSION  
SURVEY QUESTIONS

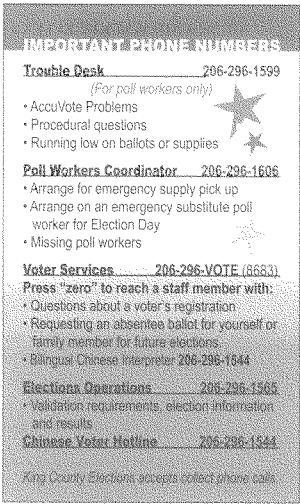
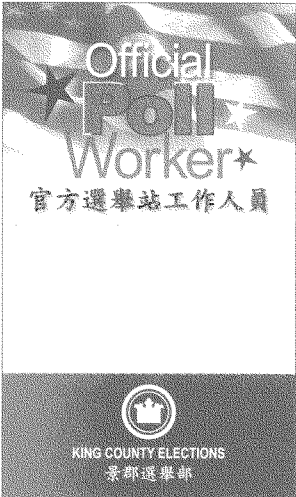
- How many elections have you served?  
a. First Time b. 1-2 c. 3-5 d. 6-10 e. 10+
- What motivated you to become a pollworker?  
a. Friend/neighbor b. Election Office Request  
c. Advertisement/flyer d. Community Organization  
e. Other \_\_\_\_\_
- Please tell us your age category:  
a. 18-25 b. 25-40 c. 40-60 d. 60+
- On a scale of 1 to 5, with "1" being "poor" and "4" being "excellent," please rate the training manual.  
1 2 3 4
- Did you attend pollworker training prior to the election? Yes No
- Did you attend any supplemental training offered? (i.e., hands-on training)  
Yes No
- How strongly do you feel that the training adequately prepared you to operate the voting system on Election Day?  
1 - Strongly Agree 2 - Agree 3 - Disagree 4 - Strongly Disagree
- How strongly do you feel that the training adequately prepared you to administer the election procedures, such as checking in voters, determining their eligibility and providing provisional ballots?  
1 - Strongly Agree 2 - Agree 3 - Disagree 4 - Strongly Disagree
- On a scale of 1 to 4, with "1" being "unsatisfying" and "4" being "very satisfying," please rate your Election Day experience.  
1 2 3 4
- How likely are you to serve as a pollworker in future elections?  
1 2 3 4

THANK YOU!!!

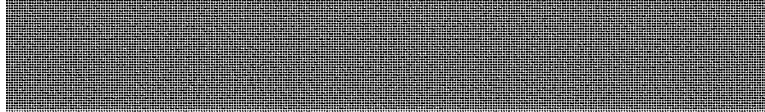
192



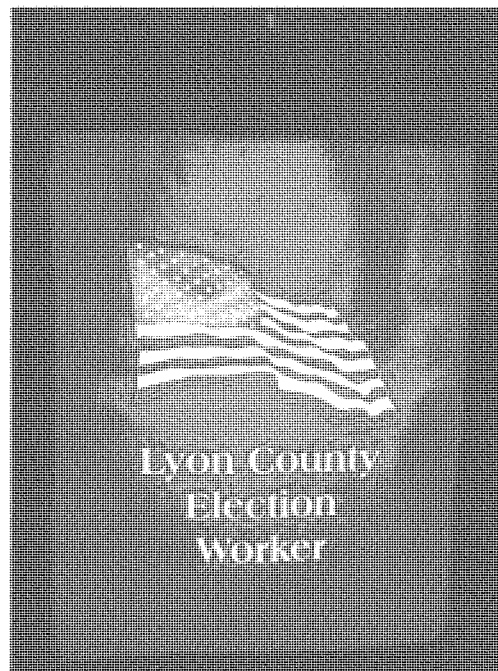
Sample #61. Poll Worker Badge, King County, WA







Sample #62. Photo of Lyon County, KS, Tote Bag



## Section Four. Management

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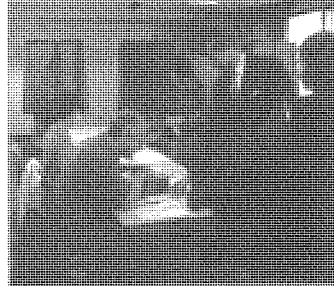
### Strategies To Improve Poll Workers' Performance

The business of managing poll workers is changing. New Federal and State election procedures—provisional ballots, early voting, voter identification—have increased the demands on poll workers. So has equipment such as touch-screen voting machines, precinct optical readers, and electronic poll books. As the needs change, procedures for assigning workers to polling places must also change.

This section provides tools and procedures that can improve poll worker management and reduce the administrative burden on Election Day. These measures can include employing Election Day troubleshooters, using early voting sites, and developing and assigning blended poll worker teams.

To establish assignments and support techniques, project managers need to know—

- The expected number of voters in each polling place.
- The skills and knowledge of each poll worker.
- The number and types of voting equipment at each site.



## Chapter 21 Election Day Troubleshooters

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### In This Chapter

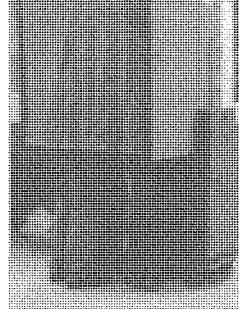
- Types of Troubleshooters
- Pitfalls and Challenges
- Tips for Successful Implementation
- Evaluation: Questions To Ask

Troubleshooters can prevent Election Day meltdown. They serve as liaisons between the polling places in the field and election central. On Election Day, troubleshooters become the eyes and ears of the chief election official. They provide feedback and are often involved in post-election debriefing.

Election Day troubleshooting programs come in all shapes and sizes, but the objective remains the same: to provide a backup support system for poll workers. This can reduce the burden for those on the job, minimize errors, and build poll worker confidence. This approach depends on a team of well-trained, well-equipped troubleshooters.

#### Types of Troubleshooters

- **Rovers** usually visit and monitor several polling places throughout the day. Some carry extra or replacement supplies. Some contact the leader of a poll worker team to ensure that everything is set up correctly—voting machines are operational and poll workers are on duty. Troubleshooters equipped with checklists audit polling places and ensure polling place compliance with established procedures.
- **Reservists**, or reserve poll workers, are on standby to fill vacancies on poll worker teams.
- **Technicians** work with the election machinery and receive extra training on voting machines. They can serve as rovers, or they can serve several precincts by helping to open and close machines, and fix and operate other pieces of equipment, including printers, electronic poll books, and modems. Some jurisdictions assign one technician to each polling place.
- **Openers and Closers** handle the biggest Election Day challenges: setup, opening and closing polling places and machines. In some jurisdictions, their role is to get polling places up and running on Election Day morning and return to the polls to help close and get the returns to the election office.



### Pitfalls and Challenges

- Troubleshooters are usually paid more than poll workers, which may increase the jurisdiction's budget.
- As other poll workers learn about the higher pay, they might ask to be promoted. Election officials should screen and test so the best poll workers receive this opportunity.

### Tips for Successful Implementation

- Assign the same set of polling places to each troubleshooter for every election. The troubleshooters will become familiar with their polling places. Using data provided by election central, the troubleshooter will plot a route based on which sites may need assistance. A new precinct leader might be at one site. At another site, a large voter turnout might be projected or the site may have a large number of voting machines.
- Assign troubleshooters to polling places with new programs or equipment.
- Troubleshooters should attend regular poll worker training as well as specialized technical training. They can work more effectively and avoid mistakes if they have a basic understanding of polling place operations.

### Evaluation: Questions To Ask

- **Is the program sustainable?** Do you have the budget to create a troubleshooter program or the ability to move funds to sustain it? Will your staff have time for this extra recruiting effort?
- **Is it measurable?** Can you track the number of troubleshooters you hire each election? Can you track how many return for the next election? Are they serving as your Election Day eyes and ears in the field? Are troubleshooters effectively solving problems?
- **Is the program worthwhile elsewhere?** Did you hear about this program from another jurisdiction and adapt it? Is it worth writing about and sharing with other jurisdictions?

*Sample #63. Standby Agreement Letter, Cuyahoga County, OH (page 210)*

*Sample #64. Standby Appointment Letter, Cuyahoga County, OH (page 211)*

*Sample #65. Rover Polling Place Checklist (page 212)*



## Chapter 22 Early Voting and Vote Centers

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### In This Chapter

- How Early Voting Sites, Consolidated Polling Places, and Vote Centers Differ From Election Day Poll Sites
- Pitfalls and Challenges

#### How Early Voting Sites, Consolidated Polling Places, and Vote Centers Differ From Election Day Poll Sites

Early voting sites, consolidated polling places, and vote centers are becoming increasingly popular. They provide convenience for voters, and they make Election Day administration easier by reducing the number of polling places and poll workers.

In Clark County, NV, which includes Las Vegas, half of the voters cast their ballots early in the 2004 elections. Fewer polling places and poll workers were needed on Election Day.

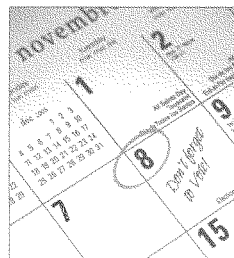
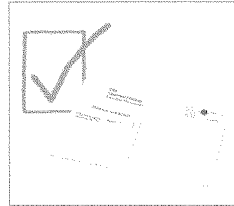
**Early Voting.** In jurisdictions that allow early voting, voters can come to the central election office or to satellite sites before Election Day. Typically, early voting begins 1 to 2 weeks before Election Day. Early voting and vote centers require both access to the list of registered voters and the ability to provide every ballot style.

**Consolidated Polling Places.** Computerized voting and electronic poll books now provide the opportunity to assign several precincts to the same polling place. All voters check in at a central station, where they are listed by name instead of by precinct.

**Vote Centers.** This is the next step beyond consolidated polling places. They replace neighborhood polling places with "super polling places" throughout the jurisdiction. Voters can go to any vote center to cast their ballot. In Larimer County, CO, 31 vote centers replaced 143 polling sites. Instead of 1,000 poll workers, the county needed only 500 to staff the vote centers.

Vote centers usually work best in jurisdictions where significant numbers of people cast absentee ballots or vote before Election Day.

Because fewer poll workers are needed to staff early-voting sites, consolidated polling places, and vote centers, more selective recruitment and screening standards can be employed. But with hours of operation extending over several days or even weeks, there may be an added incentive for



potential recruits: more salary and regular blocks of part-time work throughout the year.

#### Pitfalls and Challenges

- Recruiting employees to staff early voting sites will require a separate recruitment effort, with different materials and application processes. These poll workers may also need skills—typing or operating a desktop computer—that are not required of general poll workers.
- Staffing early voting sites will require more comprehensive training.
- Early voting sites may be subject to different personnel and minimum-wage regulations.

#### *Tips for Successful Implementation*

- *Pilot these programs in small elections before a general election.*
- *Develop a separate training program for early voting, consolidated polling places, and vote center operations.*
- *Election jurisdictions should consider beginning their recruitment process by reviewing and interviewing their best Election Day poll workers.*

## Chapter 23. Blended Poll Worker Teams

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### In This Chapter

- Benefits
- Developing a Blended Team Tracking System
- Screening Potential Poll Workers for Blended Teams
- Sample Excel Spreadsheet

Using practices described in this guidebook, election administrators can expand their range of recruiting from high school and college students to civic leaders, government employees, bilingual poll workers, retirees, technicians, and disabled poll workers. This expanded workforce provides the opportunity to create teams that are blended—a variety of people with a mix of skills. The poll worker teams of the future will work together to meet the changing demands for the conduct of elections.

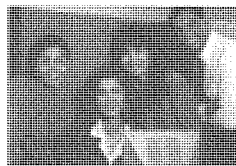
#### Benefits

- A blended group of poll workers with a diverse set of skills and abilities can promote the success of the entire team.
- A diverse team will probably be more representative of voters at each polling site.
- Election officials can develop an assignment method that tells them in advance the numbers of poll workers needed and the special skills required in which of their polling places.

#### Developing a Blended Team Tracking System

The following method helps to determine the number of voters expected at each polling place on Election Day.

- Use spreadsheet software such as Excel or Access to create a database of precincts.
- In the spreadsheet, include both the total number of registered voters and the number of active registered voters in each precinct served by the polling place.
- Subtract any permanent absentee-by-mail voters.
- Project the voter turnout for the specific election, based on past statistics.



- Project the percentage of voters who will vote early or by absentee ballot, and subtract that number from the expected voter turnout.

This formula provides the expected-to-vote number on Election Day at each polling place. Use it to determine the number of poll workers, supplies, ballots, and voting machines. Sort the expected-to-vote lists from largest to smallest numbers.

- Consistent with your State law, begin by assigning at least one high school or college poll worker to each polling place.
- Next, assign a government or workforce employee to each polling place.
- Using census data and demographics, assign bilingual workers to targeted polling places.
- Assign disabled poll workers to specific polling places based on projected voters with developmental disabilities or with hearing or sight impairment.

For example, if your jurisdiction has electronic poll books, you would want at least two poll workers in each polling place who know how to set up and manage the check-in process using the new technology.

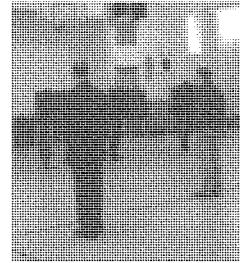
- Track your methods for evaluating poll workers and use those tools as part of your assignment process.
- Add a column to track the number of poll workers trained by polling place or precinct.

High-volume sites need a large number of high-quality poll workers to keep the voters moving on Election Day. Polling places expecting small numbers of voters can be staffed by fewer poll workers who have basic skill sets.

Add columns and data to the spreadsheet based on specific needs. Examples include the following:

- The number of poll workers assigned and trained (column A)
- The number of poll workers needed (column B)

This information can be updated daily during assignment and training. You can quickly subtract column A from column B to find the number of poll workers needed to be recruited or trained. You may want to track supervisors in a separate column—especially if they must attend a more advanced training session.





According to the NACo survey, six jurisdictions asked recruits to take a literacy test. Eleven jurisdictions ran criminal background checks, and 67 required recruits to fill out questionnaires. Questionnaires can be included in the application form.

Other jurisdictions use less formal methods, such as personal interviews and referrals. Screen potential recruits as you collect and analyze data from the previous election. This will provide information on the most common errors and whether training can correct the problems, amended procedures or materials, and whether you can track problems to poll worker performance and error.

You can also include screening in poll worker training. Screen formally, by administering a quiz, or informally, by having trainers evaluate poll workers' abilities. Evaluations usually work best in small classes with hands-on training.

		Total Reg	Active	By Mail Total	Remain to Vote (Reg- By Mail)	Project Turnout 42% of Reg	Project (Early Vote 30% of Turnout)	Expect at Polls Turnout minus Early Votes	Check k-In- Table (s)	Total EW's	Total Voting Machine s
	Polling Place Name	Reg									
1	AMERICAN LEGION	1,01	920	28	989	428	129	299	1	4	3
2	KING BOWLING AMLIAT LAKE	1,20	1,085	22	1,183	507	153	354	1	4	4
3	FARMS	868	709	0	868	365	110	255	1	4	3

## Chapter 24. State-Initiated Programs

205

### In This Chapter

- State-Initiated Poll Worker Programs
- Strengths of State-initiated Programs
- Pitfalls and Challenges
- Program Funding Options
- Snapshot of Poll Worker Pay Scales Across the United States

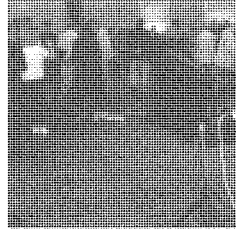
#### State-Initiated Poll Worker Programs

Local election officials usually recruit and train the Nation's 1.4 million poll workers, but many States supplement and support the recruitment of high-quality poll workers. A survey of a dozen local and State election officials asked for feedback on the strengths and weaknesses of State-led and State-initiated poll worker programs.

State election officials said they were motivated by legislative mandates or requests from local election officials. State-led programs vary, but they include at least one of the following components:

- They provide a uniform poll worker curriculum or uniform training materials.
- They work with local officials or universities to develop poll worker recruiting materials.
- They work with corporations to benefit corporate poll worker programs.
- They conduct poll worker training and certify high-level poll workers.
- They train and certify local election officials in State laws and procedures.
- Observers from State offices visit polling places and provide feedback to local officials.

Some States have more flexible laws governing residency requirements for poll workers and laws permitting high school students to serve as poll workers. For example, a Minnesota law provides that "any individual who is eligible to vote in this State is qualified to be appointed as an Election Judge." Municipalities that have difficulty recruiting poll workers can use workers from other precincts. The law also allows high school students to serve as trainee election judges.



Mechanisms used for State-led programs include—

- Recruitment flyers and videos aimed at high school and college students, corporate employees, and bilingual persons.
- Letters to corporate leaders requesting recruitment partnerships.
- Press releases announcing the need for poll workers statewide or in targeted parts of the State.
- Training kits that include videos, training manuals, lesson plans, training slide presentations, worksheets, quizzes, role plays, and certificates of completion.

#### Strengths of State-Initiated Programs

- They help to recruit high-quality poll workers who complete training provided by the State.
- They foster consistency in implementation of procedures.
- Many State-sponsored short sessions are effective and convenient.

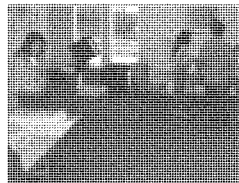
#### Pitfalls and Challenges

- In States with a variety of voting systems, State information can be of limited use, and maintaining uniformity can be difficult.
- Local officials must be engaged in developing the State-initiated program.
- One-time State allocations, unless extended, will create budget problems in future elections.

One State election official said that the biggest challenge was to meet local demand for more classes. Another stated that his State had not yet devised a program that met with local satisfaction.

#### Program Funding Options

- HAVA funds, especially when adopting new voting systems.
- General operating fund.
- State appropriations.
- County funds.



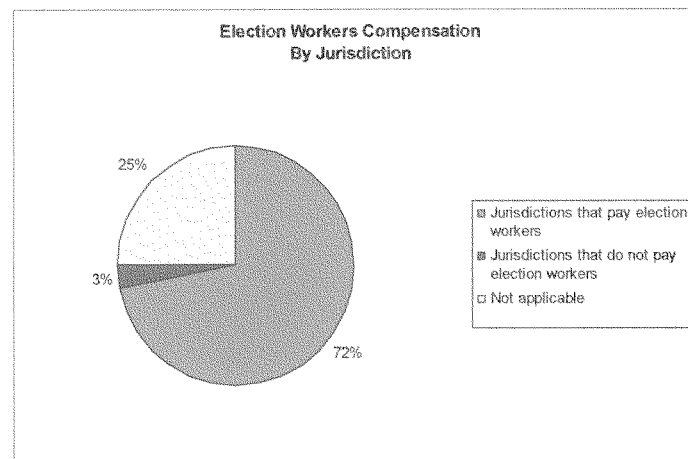
*"We also make it fun to attend the 1-1/2 hour regional workshops we provide around the State prior to the elections (with at least one workshop within 1 hour of each town). We hold them from 6:00 p.m. to 7:30 p.m. so the elderly can attend and still drive home before dark. Many of the clerks encourage all the poll workers to attend and they will drive together and stop for a light supper first."*

*—Kathleen DeWolfe, Director of Elections and Campaign Finance, Vermont Office of the Secretary of State*

### Snapshot of Poll Worker Pay Scales Across the United States

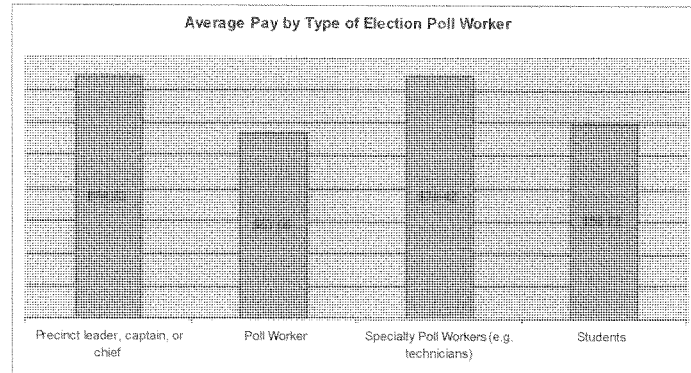
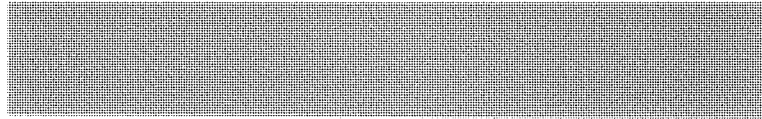
The 2006 NACo survey asked jurisdictions how much they pay poll workers.

Of the jurisdictions, 72 percent said they pay election workers, 3 percent said they do not, and 25 percent answered "not applicable."



#### Average Daily Basic Pay Rates

Precinct leader, captain or chief	\$74.22
Poll worker	\$67.00
Specialty poll worker	\$74.22
Student	\$59.72



#### Additional compensation

Training	56.2%
Bilingual ability	1.1%
Mileage	51.6%
Picking up supplies	28.4%
Performance bonus	0.3%

**Additional payments, including precinct set-up and tear-down, attendance, meetings, cell-phone usage and meals, averaged 10.5 percent.**

*Sample #66. Compensation for Precinct Officers and Polling Places, Sonoma County, CA (pages 213-216)*

*Sample #67. Request for Increase in Poll Worker Stipend, Solano County, CA (pages 217-221)*

## Appendix

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### Section Four Samples

*Sample #63. Standby Agreement Letter, Cuyahoga County, OH (page 210)*

*Sample #64. Standby Appointment Letter, Cuyahoga County, OH (page 211)*


*Sample #65. Rover Polling Place Checklist (page 212)*

*Sample #66. Compensation for Precinct Officers and Polling Places, Sonoma County, CA (pages 213–216)*

*Sample #67. Request for Increase in Poll Worker Stipend, Solano County, CA (pages 217–221)*

This Guidebook contains sample documents used by various State and local election jurisdictions. The U.S. Election Assistance Commission has published these documents with the express permission of its owner. These documents are intended to be representative of relevant election administration practice throughout the nation and to illustrate the concepts being described in the text. The inclusion of these samples in this Guidebook does not constitute an endorsement by the U.S. Election Assistance Commission. Additionally, as State law varies and is subject to change, readers are cautioned to obtain legal advice prior to adopting any new policy, procedure or document.

## Sample #63. Standby Agreement Letter, Cuyahoga County, OH



**CUYAHOGA COUNTY  
BOARD OF ELECTIONS**

Robert T. Bennett   Edward C. Coxson, Jr.   Sally D. Florkiewicz   Loree K. Soggs   L. Michael Vu   Gwendolyn Dillingham  
*Chairman*   *Director*   *Deputy Director*

---

October 13, 2006

Dear Poll Worker,

Thank you for agreeing to participate in the November 7, 2006 General Election as a stand-by poll worker. By signing the attached agreement form you are agreeing to stand-by from 5:00 a.m. to 10:00 a.m. on Election Day, November 7, 2006 in the event we need a replacement worker in or around your community.

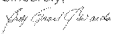
In order to be accepted as a stand-by poll worker you must attend training prior to election. A training class packet is enclosed along with registration instructions.

We will not contact you unless we need you to replace a worker. If you are not contacted you will be paid \$50.00 for your time. If we do contact you, we will inform you of the location at which you are needed to work. You will be paid the full rate of \$172.10 for a judge and \$182.10 for presiding judge.


In order to be paid for your services you must:

- Answer the phone (if we try to contact you and you do not answer we cannot pay you \$50.00 for standing by).
- Return the attached agreement to the Board of Elections by October 31, 2006.
- Report to the precinct we assign to you (if you report to a different precinct you will not be paid).


If you have any questions or concerns, please call 216-443-3277.

Sincerely,  
  
 Betty Grant Edwards  
 Acting Manager  
 Poll Worker Department

Poll Worker Recruitment and Outreach  
 2925 Euclid Avenue • Cleveland, Ohio 44113-2497 • (216) 443-3277  
[www.cuyahogacounty.us/bce](http://www.cuyahogacounty.us/bce) • Ohio Relay Service 711

  
 Revised 6/20/2007 6:16 PM

Sample #64. Standby Appointment Letter, Cuyahoga County, OH

 <b>CUYAHOGA COUNTY BOARD OF ELECTIONS</b>					
Robert T. Bennett <i>Chairman</i>	Edward C. Coakum, Jr. <i>Chairman</i>	Sally D. Flerkiewicz <i>Chairman</i>	Loree K. Sogge <i>Chairman</i>	L. Michael Vu <i>Director</i>	Gwendolyn Dillingham <i>Deputy Director</i>

---

**Official Standby Agreement  
November 7, 2006 General Election**

Please complete all fields of the form below and ensure that all information provided is in legible print. This form must be on file with the Poll Worker Department Prior to October 31, 2006 in order for you to be placed on the stand-by list.

Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ (For Payroll Purposes Only)

Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**NOTE:** You must have a vehicle in order to be considered for the Election Day Stand-by position.

**BY SIGNING THIS FORM, I AM AGREEING TO BE ON STAND-BY FROM 5:00 A.M. – 10:00 A.M. ON NOVEMBER 7, 2006. IF I AM CONTACTED, I AGREE TO WORK THE REMAINDER OF THE DAY UNTIL ALL CLOSING ADMINISTRATIVE TASKS ARE COMPLETE AT THE PRECINCT I AM ASSIGNED. I MUST FULFILL ALL SAID OBLIGATIONS IN ORDER TO RECEIVE MY FULL PAY.**

Signature \_\_\_\_\_ Date \_\_\_\_\_

**FOR BOARD USE ONLY**

Name of Board of Elections employee who signed up stand-by: \_\_\_\_\_

City or Ward stand-by is willing to work: \_\_\_\_\_

Poll Worker Recruitment and Outreach  
2925 Euclid Avenue • Cleveland, Ohio 44115-2497 • (216) 443-3277  
www.cuyahogacounty.us/boe • Ohio Relay Service 711

Revised 6/20/2007 6:17 PM



## Sample #65. Rover Polling Place Checklist

SAMPLE ROVER POLLING PLACE CHECKLIST	
POLLING PLACE:	
ELECTION:	
VISUAL POLL CHECKS	
<input type="checkbox"/>	Outdoor signs posted.
<input type="checkbox"/>	No campaigning signs within 250 ft.
<input type="checkbox"/>	"Vote here if you live here" map and sample ballots posted.
<input type="checkbox"/>	Machines plugged in and electrical cords out of the way and taped down to prevent tripping.
<input type="checkbox"/>	All voting machines read "AC Online" and top light in upper left hand corner of unit is yellow.
<input type="checkbox"/>	The encoder machine says "Charging." Then touch "Close," then touch "Create Voter Cards."
<input type="checkbox"/>	Voters' backs in a position that prevents their ballots from being seen
<input type="checkbox"/>	Brown envelopes with binder clip for voter receipts attached to the side of machines.
<input type="checkbox"/>	All voters stop at check-in table and receiving either a white receipt or a provisional ballot envelope.
<input type="checkbox"/>	Voters sign in registration book or worker writes "P" for paper ballot voters.
<input type="checkbox"/>	Write line number, precinct split number, and party (primary only) on voter receipts
<input type="checkbox"/>	Nothing but fingers or a Q-Tip touch the screens.
<input type="checkbox"/>	Give voter receipt and voter card directly to machine judge.
<input type="checkbox"/>	Machine judge inserts voter card and verifies precinct number and party (primary only) with voter before placing receipt in brown envelope.
<input type="checkbox"/>	Election worker collects voter cards.
<input type="checkbox"/>	Payroll sheet complete and turned in.
<input type="checkbox"/>	Opening/Closing Report signed. (Use left column at bottom of page for morning – right column for evening.)
<input type="checkbox"/>	Red official ballot bag positioned and sealed
<input type="checkbox"/>	Portable provisional booth set up.
<input type="checkbox"/>	Supervising judge knows how to complete the mid-day and final tally sheets.
PROCEDURAL CHECKS	
<input type="checkbox"/>	Remind supervising judge that encoder PC card should be left in encoder machine.
<input type="checkbox"/>	Show designated driver the clear PC card bag and number of PC cards to return on insert.
<input type="checkbox"/>	The designated driver and Supervising Judge both know the location of the drop-off site.
<input type="checkbox"/>	Remind supervising judge to remove all PC cards from all voting machines, put in clear PC card bag and give to driver to return to drop-off site.
Signature of Supervising Judge: _____	
Signature of Field Supervisor: _____	

Sample #66. Compensation for Precinct Officers and  
Polling Places, Sonoma County, CA

<b>COUNTY OF SONOMA AGENDA ITEM SUMMARY REPORT</b>		Clerk of the Board Use Only Meeting Date _____ Held Until _____ Agenda Item No: _____ Agenda Item No: _____	
<b>Department:</b> County Clerk-Recorder-Assessor		[ ] <b>4/5 Vote Required</b>	
<b>Contact:</b> Evee T. Lewis	<b>Phone:</b> 565-1877	<b>Board Date:</b> 10/03/06	<b>Deadline for Board Action:</b> November 7, 2006
<b>Agenda Short Title:</b> Compensation for precinct officers and polling places			
<b>Requested Board Action:</b> To adopt the resolution increasing compensation for election precinct officers and polling places, effective November 7, 2006.			
<b>CURRENT FISCAL YEAR FINANCIAL IMPACT</b>			
<u><b>EXPENDITURES</b></u>		<u><b>ADD'L FUNDS REQUIRING BOARD APPROVAL</b></u>	
Estimated Cost	\$ 50,000	Contingencies	\$ _____
Amount Budgeted	\$ 0	(Fund Name: _____)	
Other Avail. Approp (Explain below)	\$ 50,000	Unanticipated Revenue	\$ _____
		(Source: _____)	
<b>Additional Requested</b>	\$ 0	Other Transfer(s)	\$ _____
		<b>Add'l Funds Requested:</b>	\$ _____
Explanation (if required): One-time funding is available through the HAVA Section 301 Voting Systems Program to reimburse the County for these costs during the current fiscal year.			
<b>Prior Board Action(s):</b> Prior resolutions increasing precinct officer/polling place rates: 4/1/74 – Resolution 44443 – Inspectors \$20; Clerks/Judges \$18 9/23/74 – Resolution 46313 – Inspectors \$33; Clerks/Judges \$28.50; Polling Places \$12 1/6/81 – Resolution 68586 – Inspectors \$45; Clerks/Judges \$40; Polling Places \$20 10/8/85 – Resolution 85-2225 – Inspectors \$60; Clerks/Judges \$55 7/31/90 – Resolution 90-1445 – Inspectors \$75; Clerks/Judges \$65 5/11/99 – Resolution 99-0604 – Inspectors \$100; Clerks/Judges \$75; Polling Places \$40			
<b>Alternatives to Requested Action:</b> 1) Leave payments at current levels. 2) Increase payments to a lesser rate than requested.			
<b>Results of Non-Approval:</b> In light of the additional duties placed on precinct officers as a result of the HAVA requirements, we would have increasing difficulty recruiting and retaining individuals to staff the polls on Election Day. The potential exists that some polling places would not open on Election Day due to lack of staff, or that the polls would open without adequate staffing. If we are not able to locate sufficient polling locations that are accessible to voters with disabilities, we will have to send voters out of precinct to vote and/or crowd existing polling places with multiple precincts. Any of these alternatives could jeopardize the legality of elections, or subject the County to potential lawsuits.			

## Sample #66. Compensation for Precinct Officers and Polling Places, Sonoma County, CA (page 2)

**Increase in Precinct Officer Stipend - Background:** The Registrar of Voters office recruits approximately 1,400 registered voters as Precinct Officers to staff approximately 350 polling places in a countywide election in Sonoma County. Precinct Officers work approximately 15 to 16 hours each Election Day, arriving at the polls at 6:00 a.m. and completing their duties between 9:00 and 10:00 p.m. In addition, the Inspectors (those in charge of the polling places) have pre- and post-election day responsibilities, including arranging for access to the polling place on election morning, attending mandatory training, picking up all supplies, ballots, booths and new Disabled Access Units (DAU's), transporting all supplies, ballots, booths and DAU's to the polls, and returning all materials, equipment, ballots and supplies to the assigned receiving center on election night. These civic-minded citizens volunteer to perform these critical tasks and receive a stipend for their services. Since 1999, Sonoma County Precinct Inspectors have received \$100 plus mileage, and Clerks have received \$75 for the day.

The Help America Vote Act (HAVA) has added new duties and placed greater responsibilities on those who staff the polling sites. The requirement that every polling location have at least one unit on which a voter with disabilities may vote in privacy and without assistance has compelled Sonoma County to provide one electronic DAU to each precinct. These devices require a significant amount of additional training for the Precinct Inspectors, and increased knowledge for all pollworkers. Prior to the June 6, 2006, Consolidated Primary Election (our first election using the DAU's), each Inspector was required to attend a special four hour training class on the set-up, use and closing of the electronic DAU's. The training, which must be thorough to ensure the Inspectors are familiar with the equipment and able to train the other pollworkers assigned to the precinct in its use, as well as assist voters who use the DAU, provides an opportunity for hands-on practice prior to Election Day.

Precinct Officer recruitment has been a daunting task for many years. Despite various programs targeted toward particular groups - such as the Sonoma County Employee Precinct Officer Program and the Student Precinct Officer Program - we have still scrambled to replace up to a third of those initially appointed in any given election, including some who resign on Election Day itself. The additional duties imposed by HAVA have made recruitment even more difficult. Some counties have responded to this challenge by recruiting a higher paid individual solely responsible for the use and operation of the HAVA compliant equipment. Others are paying increasingly higher amounts for the additional training required. Some, such as Sonoma County, have only recently acquired HAVA compliant equipment, and are now considering increases for Precinct Officers to compensate for the additional duties.

Many Precinct Officers declined to serve at the polls in the Primary Election, citing the additional training required and extra responsibilities as a result of the electronic voting equipment. Some signed up to work and resigned after the training finding the additional duties too onerous. Since serving at the Primary Election, some pollworkers have indicated that they will not be returning due to the extra responsibilities.

The new responsibilities have further undermined our ability to persuade Clerks or new volunteers to assume the additional responsibilities of the Inspector.

Feedback we have received from the Inspectors who served in the Primary Election includes concerns regarding the length of the additional required training (which we are hoping to condense for future elections), the new responsibilities and required knowledge of the electronic equipment, and the weight of the equipment itself, making it difficult to transport (we are looking into folding equipment carts to assist in this area), set up and break down. Additionally, some Inspectors indicated that at least one other pollworker on each board should receive training on the disabled access units and we are hoping to meet this need through alternate training methods such as internet based or take home cd's.

### Sample #66. Compensation for Precinct Officers and Polling Places, Sonoma County, CA (page 3)

The results of a statewide survey conducted following the Primary Election indicated that the average stipend for Inspectors (including training, but excluding mileage paid) was \$112 statewide, \$141 for the 11 Bay Area counties and \$118 for our neighboring counties, while the average pay for Clerks was \$84 statewide, \$92 in the Bay Area and \$78 in neighboring counties. In responding, many counties indicated they would be seeking an increase in the Precinct Officer stipend due to the additional responsibilities required and the added difficulty in recruiting Precinct Officers.

**Recommendation:** To compensate Precinct Officers for the additional training and responsibilities associated with the implementation of HAVA-compliant voting equipment, we are proposing that the stipend paid Inspectors in Sonoma County be raised from \$100 to \$135 per election (including training, but excluding mileage), and that the stipend paid Clerks be raised from \$75 to \$100 per election.

**Increase in Polling Place Rental Amount – Background:** Polling place recruitment presents a different problem. For many years, public schools have represented approximately one third of our polling places. Reduced school class size, the closing of schools and safety issues are limiting the availability of these facilities. In addition, many residential developments have no community facilities available, and community halls, clubs, and churches are often reserved for other ongoing activities on Election Day. When community facilities are built or acquired, they are often in close proximity to other public buildings, and not in the outlying neighborhoods, where the polling locations are needed. As a result, we sometimes double - or even triple - the number of precincts in a particular polling place. However, doing so results in voters having to travel out of precinct to vote or drop off an absentee ballot. This not only inconveniences voters, but also has an impact on the accessibility of the polling place.

We are fortunate that roughly 75% of our polling places are used without compensation (schools, churches and public buildings). It is our hope that by increasing the rate for paid polling places it will help offset the inconvenience of relocating activities for a day, and some of the cost of offering a facility as a polling place site on Election Day (utilities, janitorial services, etc.).

**Recommendation:** We are requesting that the amount paid to a polling location be increased to \$60 per election. It is anticipated that the additional cost of less than \$2,000 per countywide election can be covered by our existing appropriations.

**Summary:** Financially, the total estimated cost for the proposed increases is \$50,000, for a county-wide, county-funded election. As stated earlier, for the November 7, 2006, General Election, we expect that cost to be fully reimbursed from allocated HAVA funds. In future years, the County general fund net increase would be appropriately \$12,500 for General Elections, since those are heavily consolidated elections in which the consolidating jurisdictions pay a pro-rated share of costs, and the full \$50,000 for a Primary Election, which is nearly entirely a county cost. Nearly all other elections conducted by the County, whether scheduled or special, are called by jurisdictions that are responsible for the full costs of conducting those elections and no net County cost increases are anticipated.

Sample #66. Compensation for Precinct Officers and  
Polling Places, Sonoma County, CA (page 4)

RESOLUTION NO. _____
County of Sonoma Santa Rosa, CA 95403
Date: _____

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA,  
STATE OF CALIFORNIA, FIXING COMPENSATION TO BE PAID ELECTION  
PRECINCT OFFICERS AND POLLING PLACES**

**WHEREAS**, the citizens who staff polling places during elections are critical to the fair and efficient conduct of elections in Sonoma County; and

**WHEREAS**, as a result of complying with the Help America Vote Act by providing one electronic voting device per polling location on which voters with disabilities can cast a ballot in privacy and without assistance, additional requirements and responsibilities have been placed on Precinct Officers; and

**WHEREAS**, the stipend paid to Precinct Officers for the vital service they provide has not been increased since 1999; and

**WHEREAS**, polling places are a necessary component of the orderly conduct of elections; and

**WHEREAS**, schools and other public facilities which are not required to be paid when used as polling locations are becoming increasingly difficult to acquire as such; and

**WHEREAS**, the daily rental fee for polling place use has not been increased since 1999; and

**WHEREAS**, the Board of Supervisors acknowledges the importance of both precinct officers and polling places and finds it necessary to increase compensation paid for both;

**NOW, THEREFORE BE IT RESOLVED**, that the stipend paid to precinct officers and for polling places shall be fixed at the following rates, effective November 7, 2006.

Inspectors (Precinct Officer in charge):	\$135.00/election (including training), plus mileage reimbursement for required election-related travel
Clerks:	\$100.00/election
Polling Places:	\$60.00/election


**SUPERVISORS:**

Brown \_\_\_\_\_ Kerns \_\_\_\_\_ Smith \_\_\_\_\_ Reilly \_\_\_\_\_ Kelley \_\_\_\_\_

Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**SO ORDERED.**

Sample #67. Request for Increase in Poll Worker Stipend,  
Solano County, CA

 <b>AGENDA SUBMITTAL TO SOLANO COUNTY BOARD OF SUPERVISORS</b>			
<b>ITEM TITLE</b> Approve the Registrar of Voters poll worker stipends for the June 6, 2006 Primary Election including an increase of \$10 for Ballot Issue Clerks; a \$5 increase in the training class stipend, a \$10 stipend for Inspectors with error free provisional ballots, and a \$10 stipend for Inspectors with balanced rosters and ballots		<b>BOARD MEETING DATE</b> April 11, 2006	<b>AGENDA NUMBER</b>
<b>Dept:</b> DOIT/ROV <b>Contact:</b> Deborah Seiler <b>Extension:</b> 3364	<b>Superviserial District Number</b> All		
<b>Published Notice Required?</b>		Yes _____ No <input checked="" type="checkbox"/>	<b>Public Hearing Required?</b>
<b>Public Hearing Required?</b>		Yes _____ No <input checked="" type="checkbox"/>	
<b>DEPARTMENTAL RECOMMENDATION:</b> <p>It is recommended that the Board of Supervisors approve the Registrar of Voters' proposed Poll Worker Stipend Schedule (Attachment A), effective April 11, 2006 including:</p> <ol style="list-style-type: none"> <li>1. An increase of \$10 for Ballot Issue Clerks working any Primary Election,</li> <li>2. A \$5 increase in the training class stipend,</li> <li>3. A \$10 stipend for Precinct Inspectors with error free provisional ballots, and</li> <li>4. A \$10 stipend for Inspectors with balanced rosters and ballots.</li> </ol>			
<b>SUMMARY:</b> <p>The Help America Vote Act of 2002 (HAVA) requires at least one accessible voting device in each polling place, beginning with the June 6, 2006 Primary Election. To comply, Solano County will install one AutoMark voting device in each polling location. This new equipment and other HAVA requirements will necessitate longer and more complex training classes (3 to 4 hours) to cover the set-up and operation of these devices as well as sensitivity training to help poll workers deal with the needs of disabled voters.</p> <p>In addition, the primary election is the most complex as Precinct Inspectors and their designated Ballot Issue Clerk must manage and account for numerous party ballot types, cross-over voting by nonpartisan voters, and an increase in provisional voting. The Registrar of Voters is proposing the \$10 increased stipend for the Ballot Issue Clerk for the June election; the \$5 increase in the training class stipend; and the two new \$10 stipends for Precinct Inspectors with error free provisional ballots and balanced rosters and ballots. An</p>			

## Sample #67. Request for Increase in Poll Worker Stipend, Solano County, CA (page 2)

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overview of the current Board approved stipends is included in Attachment A. The Registrar of Voters is recommending these changes to recognize and reward inspectors who successfully perform key duties related to the operation of the AutoMark, the precinct scanners, provisional voting, and balancing of the rosters on Election Day.

### **FINANCING:**

The Registrar of Voters has sufficient appropriation in their FY2005/06 budget to cover the \$9,200 increased cost of this proposal. The anticipated increase would be approximately \$2,000 for the additional stipend for Ballot Issue Clerks and \$3,000 for added training stipends. The stipends for error free provisional ballots and balanced rosters and ballots will depend upon the number of Precinct Inspectors who submit error free information, but if all inspectors qualified for additional stipends, the amount would not exceed \$4,200.

### **DISCUSSION:**

Since HAVA was adopted in 2002, the County has installed a new optical scan voting system in polling places and is now required to install another new component of that system to meet the needs of voters with disabilities, including blindness.

In fulfillment of our contract with Election Systems & Software, the County will receive 160 AutoMark voting devices and install one in each voting location in the upcoming June election. The devices weigh 70 pounds in their carrying cases and must be mounted onto a separate table. The AutoMark devices and their accompanying tables will be delivered to the polling sites by a drayage company. Poll workers will be required to remove the 48 pound devices from the carrying cases, install them securely onto the tables, and attach peripheral devices such as headsets and "sip and puff" devices. They will be required to set up and power on the machines in the morning and help voters operate them while polls are open. When the polls close, the poll workers will shut them down, return them to their carrying cases, and fold the tables for pick up by the drayage company.

The Department typically trains approximately 200 Precinct Inspectors, for whom training is mandatory. Training is optional for the 800 clerks, and roughly 300 normally opt to attend. The training stipend is currently \$10 for Inspectors and Clerks.

The Department intends to add one additional worker for each of the AutoMark devices deployed and designate that worker as a "Poll Technician." It will be necessary to train these poll technicians in the set-up and operation of the equipment as well as offer them sensitivity training to ensure disabled voters are treated with professionalism and respect. For this reason, training will be mandatory for all Poll Technicians. Because of their higher stipend (\$100 as opposed to \$75 for Clerks), an increase in the training stipend is not recommended at this time.

However, Precinct Inspectors will also be cross-trained on the use of the AutoMark to serve as a back-up to the Poll Technicians, and this will increase the length and complexity of Inspector training. Training classes will increase from two to as long as three or four hours, and will continue to be mandatory for inspectors.

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Inspectors are ultimately responsible for all precinct operations, and for the June Primary this will be a challenge. Inspectors must be versed in the operation of two mechanical devices, the complexities of the ballot issue and provisional voting procedures, and the accurate accounting for all ballots received and issued during the day.

They must be attentive during training and must be willing to review materials prior to Election Day. The new stipends for error free provisional ballots and balanced rosters and ballots will motivate inspectors to double check the paperwork while at the polls. This added attention will save considerable staff time and effort processing the precinct's paperwork and validating provisional ballots.

In light of the complexity of the June election, with 8 party ballot types and cross-over voting, one poll worker will be designated as the Ballot Issue Clerk and trained to perform this critical duty. Although training for poll workers in clerk positions is normally optional, it will become mandatory for those designated as Ballot Issue Clerks in the upcoming primary election. Because training will be mandatory for Ballot Issue Clerks for this election, a higher stipend is recommended. Unlike Inspectors who receive \$120 for the day, clerks receive \$75. The higher Ballot Issue Clerk stipend is a way to motivate poll workers to serve as Ballot Issue Clerks and attend the training, without increasing the stipend for all clerks.

Precinct Inspectors and the Ballot Issue Clerks will ensure all voters receive their correct party ballots and non-partisan voters are properly instructed in cross-over voting options.

In recommending these increases and changes, the Department looks to counties with the same equipment configuration, namely precinct scanners and AutoMark devices. These include Contra Costa and Sacramento counties:

Contra Costa County:			
Inspectors:	Stipend: \$115	Mandatory Training:	\$20
Clerks:	Stipend: \$ 85	Mandatory Training:	\$10
Sacramento County			
Inspectors:	Stipend \$150	Mandatory Training:	\$20
Clerks:	Stipend: \$ 95	Mandatory Training:	\$20

It should be noted that Contra Costa conducts additional, 90-minute Equipment Training classes throughout the year, with 5 poll workers per class. Clerks and Inspectors are paid for these additional classes at the same rate as for the pre-election training classes. Sacramento County also pays \$30 for supply pick up and drop off.

**ALTERNATIVES:**

If the training stipend is not increased, we will continue to pay \$10 for training, but may experience resistance due to the mandatory nature of the training. If the stipends for error free provisional ballots and balanced rosters and ballots are not approved, the Department will continue to pay the current stipend of \$120. If the \$10 stipend for Ballot Issue Clerks is not approved, the Department will continue to pay the current clerk stipend of \$75.



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**OTHER AGENCY INVOLVEMENT:**

Although a direct comparison with other counties is not possible, the Registrar of Voters office has surveyed surrounding counties as well as outlying counties with a similar voting system configuration and considers this proposal to be a mid-range pay schedule.

The Registrar of Voters office will continue to encourage County employees to work at the polls.

**CAO RECOMMENDATION:**

**DEPARTMENT HEAD SIGNATURE:**

Ira J. Rosenthal, Chief Information Officer/Registrar of Voters

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Registrar of Voters – Poll Worker Stipend Schedule			
Effective April 11, 2006			
Assignment	Current Poll Workers (Non County Employee)	Current County Employee Poll Workers (Non-Exempt*)	Proposed Stipend Schedule
<b>Precinct Inspector</b>	\$120	\$120	\$120
Error Free Provisional Ballots			\$10
Balanced Roster and Ballots			\$10
<b>Poll Technician</b> (To assist with AutoMark)	\$100	\$100	\$100
<b>Ballot Issue Clerk</b> (For Primary Elections with multiple party ballots)	\$75	\$75	\$85
<b>Precinct Clerk</b>	\$75	\$75	\$75
<b>Roving Inspector</b> (To provide hands on support and elections expertise to multiple precincts)	\$120 plus mileage to and from polling sites	\$120 plus mileage to and from polling sites	\$120 plus mileage to and from polling sites
<b>Training Class</b> Training is mandatory for all inspectors, rovers, poll technicians and ballot issue clerks.  Attendance by all other poll worker clerks is optional	\$10	\$0 if attending on County time on regular work day  \$10 if the employee is on an unpaid status or using accrued leave (i.e. vacation time)	\$15
<b>Election Night Return of Supplies</b>	\$5	\$5	\$5

\* Non-exempt County, who work at the polls in the capacities described in this document, may be working for a different department than what they are regularly assigned, but will be performing services for Solano County. These employees will receive their regular days pay plus the poll worker stipend less applicable payroll withholdings.

For employees in positions that are covered by time and one-half overtime requirements, time worked at the polls during their regular County work hours will count as regular time worked and must be included in the overtime calculation when time worked exceeds forty hours during the work week.

**ATTACHMENT A**